

APPENDIX.**REPORT OF THE COMMITTEE ON ENGROSSED BILLS.**

Committee Room,
Austin, Texas, March 11, 1929.
Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 314, A bill to be entitled "An Act adding Article 3202a, changing the name of the Deaf and Dumb Asylum to Texas School for the Deaf, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 755, "An Act making emergency appropriations for rural aid under the provisions of Chapter 36, Acts of the Fortieth Legislature, and emergency appropriations for the maintenance of summer schools at the several institutions of higher learning as named herein for the balance of the fiscal year ending August 31, 1929, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 509, "An Act authorizing county auditors in counties containing a population of not less than 41,000 and not more than 42,000 inhabitants, as shown by the 1920 Federal census, and in which there may exist or in which there may be created any improvement, navigation, road or irrigation district, or any other territory district, having for its purpose the expenditure of public funds for improvement purposes, or improvements of any kind, whether derived from the issuance of bonds or through any character of special assessment, to

any exercised control over the finances of said district as provided in Chapter 2 of the Revised Civil Statutes of the State of Texas, 1925, adding Articles 1667a and 1672a, Revised Civil Statutes, 1925, so as to provide for compensation of the county auditor for performing such service, giving the county commissioners court of counties having a population of not less than 22,800 and not over 22,900 as shown by the 1920 Federal census, the right to continue the county auditor or employ in its discretion a certified accountant; providing for compensation for monthly reports, repealing all laws in conflict with this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,
Austin, Texas, March 11, 1929.
Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 7, Proposing an amendment to Section 5, of Article 4, of the Constitution of the State of Texas, fixing the salary of the Governor, providing for its submission to the voters of the State of Texas as required by the Constitution, and making an appropriation therefor,

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

FORTY-SECOND DAY.

(Continued.)

(Tuesday, March 12, 1929.)

The House met at 9:30 o'clock a. m. and was called to order by Mr. Minor, Speaker Pro Tem.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 448, "An Act to provide more adequate compensation for county judges in counties which have voted road and bridge bonds amounting to \$6,000,000 or more, and in addition flood protection bonds amounting to \$1,000,000 or more, and providing for the employment of a stenographer for such judges, and declaring an emergency."

S. B. No. 511, "An Act to establish and maintain an agricultural experiment station in the Fifth Senatorial District of Texas, etc., and declaring an emergency."

S. B. No. 503, "An Act making an appropriation of \$28,911.47, or so much thereof as may be necessary, payable out of the general revenue not otherwise appropriated and appropriating all other current revenue, or so much thereof as may be necessary, to be derived from the operation of the Texas State Railroad until August 31, 1929, and to be deposited in the State Treasury, said appropriations being for the traveling, clerical and other expenses of the board of managers and all other expenses connected with the sale and maintenance, operation or lease of said railroad, and being for the period up to and including August 31, 1931, and declaring an emergency."

S. B. No. 187, "An Act to appropriate the sum of \$25,000 to co-operate with the Department of the Interior of the United States government to investigate reservoir sites and reservoir conditions on the Pecos River, authorizing the Governor to draw upon such funds, and regulating the expenditure thereof, and declaring an emergency."

H. B. No. 735, "An Act creating and validating Hidalgo County Water Control and Improvement District No. 7."

S. B. No. 254, "An Act to amend Article 3884, Revised Civil Statutes of 1925, relating to compensation of deputies and assistants of certain district and county officers, and declaring an emergency."

S. B. No. 344, "An Act relating to the sale of and defining agricultural seeds and mixed seeds; requiring the filing of representative samples and statements of quality of seed by seed dealers; prohibiting mixtures of seeds unless so labeled," etc.

S. B. No. 502, "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, relating to the appointment and compensation of county auditors in counties containing a population of thirty-five thousand inhabitants or over, according to the preceding Federal census, or having a tax valuation of fifteen million dollars, according to the last approved tax roll, and providing for additional compensation for the county auditors in such counties where there is a joint city and county hospital and

where a special audit for such hospital must be kept and report made to the city and county, and declaring an emergency."

S. B. No. 190, "An Act making an emergency appropriation out of the sand, shell and gravel fund of this State to pay certain refunds of the tax collected by the Game, Fish and Oyster Commissioner on sand, shell and gravel used by counties and cities or towns for constructing streets and roads, and declaring an emergency."

BILLS ORDERED NOT PRINTED.

On motion of Mr. Warwick, Senate bills Nos. 578 and 525 were ordered not printed.

On motion of Mr. Tarwater, Senate bill No. 606 was ordered not printed.

On motion of Mr. Ewing, Senate bill No. 596 was ordered not printed.

SENATE BILL NO. 579 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 579, A bill to be entitled "An Act repealing certain sections of the local road law of Franklin county, Texas, amending Sections 8 and 10 of said local road law, said local road law and this act relating to the public roads of said county, and regulating the construction and maintenance of same, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 579 ON THIRD READING.

Mr. Brice moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 579 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Ackerman.
Adkins.
Albritton.
Barnett.
Bateman.
Bounds.
Brice.
Brooks.
Carpenter.
Chastain.
Coltrin.

Conway.
Cox of Navarro.
Cox of Lamar.
Cox of Limestone.
Davis.
DeWolfe.
Enderby.
Ewing.
Eickenroht.
Finn.
Finlay.

Forbes.	Olsen.
Gerron.	O'Neill.
Gilbert.	Palmer.
Graves	Patterson.
of Williamson.	Pavlica.
Hardy.	Petsch.
Harman.	Pool.
Harper.	Pope of Jones.
Heaton.	Pope of Nueces.
Hefley.	Prendergast.
Hogg.	Quinn.
Holder.	Reader.
Hornaday.	Reid.
Hubbard.	Renfro.
Jenkins.	Richardson.
Johnson	Rogers.
of Dimmit.	Sanders.
Johnson of Smith.	Savage.
Jones.	Sherrill.
Kayton.	Simmons.
Keller.	Smith.
Kennedy.	Speck.
King.	Stephens.
Kinnear.	Stevenson.
Lee.	Strong.
Lemens.	Tarwater.
Long of Wichita.	Thompson.
Mankin.	Tillotson.
Martin.	Turner.
Maynard.	Van Zandt.
McCombs.	Veatch.
McDonald.	Waddell.
McGill.	Wallace.
McKean.	Walters.
Mehl.	Warwick.
Metcalf.	Wiggs.
Minor.	Williams of Travis.
Montgomery.	Woodall.
Mosely.	Woodruff.
Negley.	Young.
Nicholson.	

Absent.

Acker.	Kincaid.
Anderson.	Long of Houston.
Baker.	Loy.
Baldwin.	Mauritz.
Beck.	Moore.
Bond.	Morse.
Bradley.	Mullally.
Dunlap.	Murphy.
Duvall.	Purl.
Fuchs.	Rountree.
Gates.	Shaver.
Giles.	Shelton.
Graves of Erath.	Shipman.
Harding.	Sinks.
Hines.	Snelgrove.
Hopkins.	Storey.
Johnson of Scurry.	Thurmond.
Justiss.	Webb.
Keeton.	Westbrook.
Kemble.	Williams of Sabine.
Kenyon.	

Absent—Excused.

Mr. Speaker.	Harrison.
Avis.	Land.

Ray.	Williams
White.	of Hardin.

The Speaker then laid Senate bill No. 579 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Ackerman.	McDonald.
Adkins.	McGill.
Albritton.	McKean.
Barnett.	Mehl.
Bateman.	Metcalf.
Bond.	Minor.
Bounds.	Montgomery.
Brice.	Moore.
Brooks.	Mosely.
Carpenter.	Negley.
Chastain.	Nicholson.
Coltrin.	Olsen.
Cox of Navarro.	O'Neill.
Cox of Lamar.	Palmer.
Cox of Limestone.	Patterson.
Davis.	Pavlica.
DeWolfe.	Petsch.
Enderby.	Pool.
Ewing.	Pope of Jones.
Eickenroht.	Pope of Nueces.
Finn.	Purl.
Finlay.	Quinn.
Forbes.	Reader.
Gerron.	Reid.
Gilbert.	Renfro.
Graves	Richardson.
of Williamson.	Rogers.
Hardy.	Sanders.
Harman.	Savage.
Harper.	Sherrill.
Hefley.	Shipman.
Hogg.	Simmons.
Holder.	Smith.
Hornaday.	Speck.
Hubbard.	Stevenson.
Jenkins.	Storey.
Johnson	Strong.
of Dimmit.	Tarwater.
Johnson of Smith.	Thompson.
Jones.	Thurmond.
Kayton.	Tillotson.
Keller.	Turner.
Kennedy.	Van Zandt.
King.	Veatch.
Kinnear.	Waddell.
Lee.	Wallace.
Lemens.	Walters.
Long of Wichita.	Warwick.
Mankin.	Wiggs.
Martin.	Williams of Sabine.
Mauritz.	Williams of Travis.
Maynard.	Woodall.
McCombs.	Young.

Absent.

Acker.	Baker.
Anderson.	Baldwin.

Beck.	Kenyon.
Bradley.	Kincaid.
Conway.	Long of Houston.
Dunlap.	Loy.
Duwall.	Morse.
Fuchs.	Mullally.
Gates.	Murphy.
Giles.	Prendergast.
Graves of Erath.	Rountree.
Harding.	Shaver.
Heaton.	Shelton.
Hines.	Stephens.
Hopkins.	Sinks.
Johnson of Scurry.	Snelgrove.
Justiss.	Webb.
Keeton.	Westbrook.
Kemble.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

RELATING TO CONSIDERATION OF LOCAL BILLS.

The House, by unanimous consent, agreed to take up for consideration at this time all local bills.

SENATE BILL NO. 606 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 606, A bill to be entitled "An Act ratifying and validating the creation and consolidation proceedings creating Carey Consolidated Rural High School District No. 10 of Childress county, Texas, by consolidating Purple Hill Common School District No. 14, Prairie Hill Common School District No. 4, Carey Common School District No. 10 and Valley View Common School District No. 28, all in Childress county, Texas; ratifying and validating all the orders, petitions, notices, elections and orders declaring results of elections and describing the boundaries of such consolidated rural high school district; validating election and election proceedings held on the 6th day of February, 1929, in such consolidated district; authorizing the issuance of \$60,000 school house bonds and levying a tax in payment thereof, including the petitions, orders, notices, election, election returns, and authorizing the board of trustees to complete the issuance and sale of such bonds; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 606 ON THIRD READING.

Mr. Tarwater moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 606 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Ackerman.	Metcalfe.
Adkins.	Minor.
Albritton.	Montgomery.
Barnett.	Moore.
Bateman.	Morse.
Bounds.	Mosely.
Brooks.	Murphy.
Carpenter.	Negley.
Chastain.	Nicholson.
Coltrin.	Olsen.
Conway.	O'Neill.
Cox of Navarro.	Palmer.
Cox of Lamar.	Patterson.
Davis.	Pavlica.
DeWolfe.	Pool.
Enderby.	Pope of Jones.
Eickenroht.	Pope of Nueces.
Finn.	Purl.
Finlay.	Reader.
Forbes.	Reid.
Gilbert.	Renfro.
Hardy.	Richardson.
Harman.	Rogers.
Harper.	Sanders.
Heaton.	Savage.
Hefley.	Sherrill.
Hines.	Simmons.
Hogg.	Sinks.
Holder.	Smith.
Hornaday.	Snelgrove.
Hubbard.	Speck.
Johnson	Stephens.
of Dimmit.	Stevenson.
Johnson of Smith.	Storey.
Johnson of Scurry.	Strong.
Jones.	Tarwater.
Justiss.	Thompson.
Kayton.	Thurmond.
Keller.	Tillotson.
Kennedy.	Turner.
King.	Van Zandt.
Kinnear.	Veatch.
Lee.	Waddell.
Lemens.	Wallace.
Long of Wichita.	Walters.
Mankin.	Warwick.
Martin.	Wiggs.
Mauritz.	Williams
Maynard.	of Sabine.
McCombs.	Williams
McDonald.	of Travis.
McGill.	Woodall.
McKean.	Woodruff.
Mehl.	Young.

Absent.

Acker.	Harding.
Anderson.	Hopkins.
Baker.	Jenkins.
Baldwin.	Keeton.
Beck.	Kemble.
Bond.	Kenyon.
Bradley.	Kincaid.
Brice.	Long of Houston.
Cox of Limestone.	Loy.
Dunlap.	Mullally.
Duvall.	Petsch.
Ewing.	Prendergast.
Fuchs.	Quinn.
Gates.	Rountree.
Gerron.	Shaver.
Giles.	Shelton.
Graves	Shipman.
of Williamson.	Webb.
Graves of Erath.	Westbrook.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

The Speaker then laid Senate bill No. 606 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Ackerman.	Holder.
Adkins.	Hornaday.
Albritton.	Hubbard.
Barnett.	Jenkins.
Bateman.	Johnson of Smith.
Bounds.	Johnson of Scurry.
Brooks.	Jones.
Carpenter.	Justiss.
Chastain.	Kayton.
Coltrin.	Keller.
Conway.	Kennedy.
Cox of Navarro.	King.
Cox of Lamar.	Lee.
Davis.	Lemens.
DeWolfe.	Long of Wichita.
Enderby.	Mankin.
Ewing.	Martin.
Eickenroht.	Mauritz.
Finn.	Maynard.
Finlay.	McCombs.
Forbes.	McDonald.
Gilbert.	McGill.
Graves	McKean.
of Williamson.	Mehl.
Hardy.	Metcalfe.
Harman.	Minor.
Harper.	Montgomery.
Heaton.	Morse.
Hefley.	Mosely.
Hines.	Murphy.
Hogg.	Negley.

Nicholson.	Snelgrove.
Olsen.	Speck.
O'Neill.	Stephens.
Palmer.	Stevenson.
Patterson.	Storey.
Pavlica.	Strong.
Pool.	Tarwater.
Pope of Jones.	Thompson.
Pope of Nueces.	Thurmond.
Purl.	Turner.
Quinn.	Van Zandt.
Reader.	Veatch.
Reid.	Waddell.
Renfro.	Walters.
Richardson.	Warwick.
Rogers.	Wiggs.
Sanders.	Williams
Savage.	of Sabine.
Sherrill.	Williams
Simmons.	of Travis.
Sinks.	Woodruff.
Smith.	Young.

Nays—2.

Kinnear.	Prendergast.
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Absent.

Acker.	Keeton.
Anderson.	Kemble.
Baker.	Kenyon.
Baldwin.	Kincaid.
Beck.	Long of Houston.
Bond.	Loy.
Bradley.	Moore.
Brice.	Mullally.
Cox of Limestone.	Petsch.
Dunlap.	Rountree.
Duvall.	Shaver.
Fuchs.	Shelton.
Gates.	Shipman.
Gerron.	Tillotson.
Giles.	Wallace.
Graves of Erath.	Webb.
Harding.	Westbrook.
Hopkins.	Woodall.
Johnson of Dimmit.	

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 220 by a two-thirds vote of 26 yeas, 1 nay.

Has postponed indefinitely:

H. B. No. 709, A bill to be entitled "An Act fixing a closed season for hunting or killing any deer in the counties of Hudspeth and El Paso for a period of five years from the effective date of this passage, and prescribing a penalty for violation of any provision of this act."

Has passed:

H. B. No. 61, A bill to be entitled "An Act creating Dallas County Fresh Water Supply District No. 9."

H. B. No. 62, A bill to be entitled "An Act creating Dallas County Beverly Hills Fresh Water Supply District No. 2."

H. B. No. 157, A bill to be entitled "An Act to amend Chapter 155, page 366, Section 1, Acts of the Thirty-ninth Legislature, 1925, so as to grant to all incorporated cities and towns the banks, beds and channels and the abandoned banks, beds and channels of all rivers, streams and other channels within their corporate limits," with engrossed rider.

H. B. No. 232, A bill to be entitled "An Act placing a closed season on wild prairie chickens in certain counties; providing a penalty for the violation of same, and declaring an emergency," with engrossed rider and amendment.

H. B. No. 518, A bill to be entitled "An Act providing for the open season on squirrels in certain counties; providing a penalty, and declaring an emergency."

H. B. No. 554, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the county of Bastrop, State of Texas, for a period of five years from and after the passage of this act."

H. B. No. 606, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail to construct their roads and branches, or any part thereof, within the time required by law."

H. B. No. 677, A bill to be entitled "An Act to provide for the selection of jurors for service in civil suits in the district and county courts of counties having a population of at least 16,775 and not more than 17,000, as shown by the preceding Federal census."

H. B. No. 711, A bill to be entitled "An Act to protect the rights of the public to fishing and hunting and for park purposes in the waters of Caddo Lake and lands adjacent thereto, withdrawing such lands from sale and pre-

serving it for fish and game and for State park purposes as may be hereafter provided; providing that such land may be leased for mineral purposes in accordance with the law, but not otherwise sold."

H. B. No. 730, A bill to be entitled "An Act making it unlawful to take or kill wild squirrels in Williamson county during certain months of the year, and providing that the remainder of the year shall be an open season for killing wild squirrels."

H. B. No. 735, A bill to be entitled "An Act creating and validating Hidalgo County Water Control and Improvement District No. 7."

H. B. No. 555, A bill to be entitled "An Act fixing the bag limit on doves and quail in Wood county, declaring the violation of such law to be a misdemeanor."

H. B. No. 743, A bill to be entitled "An Act to exempt independent school districts in this State in counties having a population of not less than 8955 and not more than 8960, according to the United States census of 1910, from county supervision and all assessments for county administration and limiting the supervision of such independent school district to the supervising authority of the State Department of Education and the State Board of Education."

H. B. No. 723, A bill to be entitled "An Act authorizing the commissioners court of Polk county to employ a deputy in aid of the regularly elected sheriff of said county."

H. B. No. 692, A bill to be entitled "An Act providing a mode by which horses, mules, jacks, jennets, cattle, hogs, sheep and goats may be prevented from running at large in Limestone county."

H. B. No. 695, A bill to be entitled "An Act creating a more efficient road system for Titus county, Texas."

H. B. No. 678, A bill to be entitled "An Act to provide for the selection of special venire in cases in counties having a population of at least 16,775 and not more than 17,000, as shown by the preceding Federal census."

H. B. No. 194, A bill to be entitled "An Act to aid the city of Port Arthur in the construction of a sea wall, break-water or revetment work, so as to protect said city from calamitous overflows, by donating to said city all the State ad valorem taxes collected on property in Port Arthur and Precinct No. 2 in Jefferson county, from persons

in Precinct No. 2 in Jefferson county, for a period of ten years."

Has concurred in House amendments to Senate bill No. 479 by a two-thirds vote of 29 yeas, 0 nays.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL NO. 536 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 536. A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 536 ON THIRD READING.

Mr. Justiss moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 536 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Ackerman.	Harman.
Adkins.	Harper.
Albritton.	Heaton.
Barnett.	Hefley.
Bateman.	Hines.
Bounds.	Hogg.
Brooks.	Holder.
Carpenter.	Hornaday.
Chastain.	Hubbard.
Coltrin.	Jenkins.
Conway.	Johnsen
Cox of Navarro.	of Dimmit.
Cox of Lamar.	Johnson of Smith.
Cox of Limestone.	Johnson of Scurry.
Davis.	Jones.
DeWolfe.	Justiss.
Enderby.	Kayton.
Ewing.	Kennedy.
Eickenroht.	King.
Finn.	Kinnear.
Forbes.	Lee.
Gilbert.	Lemens.
Graves	Long of Wichita.
of Williamson.	Mankin.
Hardy.	Martin.

Maynard.	Richardson.
McCombs.	Rogers.
McDonald.	Sanders.
McGill.	Sherrill.
McKean.	Simmons.
Mehl.	Sinks.
Metcalf.	Smith.
Minor.	Snelgrove.
Moore.	Speck.
Morse.	Stephens.
Mosely.	Stevenson.
Murphy.	Storey.
Negley.	Strong.
Nicholson.	Thompson.
Olsen.	Thurmond.
O'Neill.	Turner.
Palmer.	Van Zandt.
Pavlica.	Veatch.
Pool.	Wallace.
Pope of Jones.	Walters.
Pope of Nueces.	Warwick.
Prendergast.	Wiggs.
Purl.	Williams of Sabine.
Quinn.	Williams of Travis.
Reader.	Woodall.
Reid.	Woodruff.
Renfro.	Young.

Absent.

Acker.	Kemble.
Anderson.	Kenyon.
Baker.	Kincaid.
Baldwin.	Long of Houston.
Beck.	Loy.
Bond.	Mauritz.
Bradley.	Montgomery.
Brice.	Mullally.
Dunlap.	Patterson.
Duvall.	Petsch.
Finlay.	Rountree.
Fuchs.	Savage.
Gates.	Shaver.
Gerron.	Shelton.
Giles.	Shipman.
Graves of Erath.	Tarwater.
Harding.	Tillotson.
Hopkins.	Waddell.
Keeton.	Webb.
Keller.	Westbrook.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

The Speaker then laid Senate bill No. 536 before the House on its third reading and final passage.

The bill was read third time.

Mr. Hines offered the following amendment to the bill:

Amend Senate bill No. 536 by striking out Section 1 and insert in lieu thereof the following:

"Section 1. That the county board of

school trustees in counties having a population of 30,000 to 30,500 and a population of 34,300 to 34,500 according to the Federal census of 1920, may employ a rural school supervisor or supervisors to plan, outline and supervise the work of the primary and intermediate grades of the rural schools of the county."

The amendment was adopted.

Senate bill No. 536 was then passed by the following vote:

Yeas—101.

Ackerman.	McGill.
Adkins.	McKean.
Albritton.	Mehl.
Barnett.	Metcalfe.
Bateman.	Minor.
Bounds.	Montgomery.
Brice.	Moore.
Brooks.	Morse.
Carpenter.	Mosely.
Chastain.	Murphy.
Coltrin.	Negley.
Conway.	Nicholson.
Cox of Navarro.	O'Neill.
Cox of Lamar.	Palmer.
Cox of Limestone.	Pavlica.
Davis.	Pool.
DeWolfe.	Pope of Jones.
Ewing.	Pope of Nueces.
Eickenroht.	Purl.
Finn.	Quinn.
Finlay.	Reader.
Forbes.	Reid.
Gerron.	Renfro.
Gilbert.	Richardson.
Graves	Rogers.
of Williamson.	Rountree.
Hardy.	Sanders.
Harding.	Shaver.
Harman.	Sherrill.
Harper.	Simmons.
Heaton.	Smith.
Hefley.	Snelgrove.
Hines.	Speck.
Hogg.	Stephens.
Holder.	Stevenson.
Hornaday.	Storey.
Johnson	Strong.
of Dimmit.	Thompson.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Turner.
Justiss.	Van Zandt.
Kayton.	Veatch.
Kennedy.	Waddell.
King.	Wallace.
Kinnear.	Walters.
Lee.	Warwick.
Lemens.	Williams
Martin.	of Sabine.
Mauritz.	Williams of Travis.
Maynard.	Woodall.
McCombs.	Woodruff.
McDonald.	Young.

Present—Not Voting.

Mankin.
Tarwater.

Wiggs.

Absent.

Acker.	Keller.
Anderson.	Kemble.
Baker.	Kenyon.
Baldwin.	Kincaid.
Beck.	Long of Houston.
Bond.	Long of Wichita.
Bradley.	Loy.
Dunlap.	Mullally.
Duvall.	Olsen.
Enderby.	Patterson.
Fuchs.	Petsch.
Gates.	Prendergast.
Giles.	Savage.
Graves of Erath.	Shelton.
Hopkins.	Shipman.
Hubbard.	Sinks.
Jenkins.	Tillotson.
Jones.	Webb.
Keeton.	Westbrook.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

SENATE BILL NO. 191 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 191, A bill to be entitled "An Act providing for the separation of all public free school affairs in cities or towns from the municipal government therein; providing that all the power and authority over such schools shall be exercised by such cities or towns through their boards of education; providing for the election of trustees of the independent districts authorized herein; vesting the title to school property of such cities and towns in the independent district; authorizing the independent districts to assume outstanding bonds of cities and towns issued for school purposes; repealing all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency."

The bill was read second time.

Mr. Storey offered the following amendments to the bill:

(1)

Amend Senate bill No. 191 by adding in line 32, page 1, after the word "town" the following, "having a population of 100,000 or less according to the United States census of 1920."

(2)

Amend caption of Senate bill No. 191 by adding in line 20 after the word "town" the following, "having a population of 100,000 or less according to the United States census of 1920."

The amendments were severally adopted.

Senate bill No. 191 was then passed to third reading.

SENATE BILL NO. 191 ON THIRD READING.

Mr. Storey moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 191 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Ackerman.	Jones.
Adkins.	Justiss.
Albritton.	Kennedy.
Baldwin.	King.
Barnett.	Kinnear.
Bateman.	Lee.
Bounds.	Lemens.
Brice.	Mankin.
Brooks.	Martin.
Carpenter.	Mauritz.
Chastain.	McDonald.
Coltrin.	McGill.
Conway.	McKean.
Cox of Navarro.	Mehl.
Cox of Limestone.	Metcalfe.
Davis.	Minor.
DeWolfe.	Montgomery.
Duvall.	Moore.
Enderby.	Morse.
Ewing.	Mosely.
Eickenroht.	Murphy.
Finn.	Negley.
Finlay.	Nicholson.
Forbes.	Olsen.
Gerron.	O'Neill.
Gilbert.	Palmer.
Graves	Pavlica.
of Williamson.	Pool.
Hardy.	Pope of Jones.
Harman.	Pope of Nueces.
Harper.	Prendergast.
Heaton.	Purl.
Hefley.	Quinn.
Hines.	Reader.
Hogg.	Reid.
Holder.	Renfro.
Hornaday.	Richardson.
Jenkins.	Rogers.
Johnson	Rountree.
of Dimmit.	Sanders.
Johnson of Smith.	Shaver.
Johnson of Scurry.	Sherrill.

Simmons.
Sinks.
Smith.
Snelgrove.
Speck.
Stephens.
Stevenson.
Storey.
Strong.
Tarwater.
Thurmond.
Turner.

Van Zandt.
Veatch.
Waddell.
Wallace.
Walters.
Warwick.
Williams
of Sabine.
Woodall.
Woodruff.
Young.

Nays—1.

Cox of Lamar.

Present—Not Voting.

Wiggs.

Absent.

Acker.	Kincaid.
Anderson.	Long of Houston.
Baker.	Long of Wichita.
Beck.	Loy.
Bond.	Maynard.
Bradley.	McCombs.
Dunlap.	Mullally.
Fuchs.	Patterson.
Gates.	Petsch.
Giles.	Savage.
Graves of Erath.	Shelton.
Harding.	Shipman.
Hopkins.	Thompson.
Hubbard.	Tillotson.
Kayton.	Webb.
Keeton.	Westbrook.
Keller.	Williams
Kemble.	of Travis.
Kenyon.	

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

The Speaker then laid Senate bill No. 191 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

Ackerman.	Cox of Limestone.
Adkins.	Davis.
Albritton.	Enderby.
Baldwin.	Ewing.
Barnett.	Eickenroht.
Bateman.	Finn.
Bounds.	Finlay.
Brice.	Forbes.
Carpenter.	Gerron.
Chastain.	Gilbert.
Coltrin.	Graves
Conway.	of Williamson.
Cox of Navarro.	Hardy.

Harding.	Patterson.
Harman.	Pavlica.
Harper.	Pool.
Heaton.	Pope of Jones.
Hefley.	Pope of Nueces.
Hines.	Prendergast.
Hogg.	Purl.
Holder.	Quinn.
Hornaday.	Reader.
Jenkins.	Reid.
Johnson	Renfro.
of Dimmit.	Richardson.
Johnson of Smith.	Rogers.
Johnson of Scurry.	Sanders.
Jones.	Shaver.
Justiss.	Sherrill.
Kennedy.	Simmons.
Kinnear.	Sinks.
Lee.	Smith.
Lemens.	Snelgrove.
Mankin.	Speck.
Martin.	Stephens.
Mauritz.	Stevenson.
McCombs.	Storey.
McDonald.	Strong.
McGill.	Tarwater.
McKean.	Thompson.
Mehl.	Thurmond.
Metcalfe.	Turner.
Minor.	Van Zandt.
Montgomery.	Veatch.
Moore.	Waddell.
Morse.	Wallace.
Mosely.	Walters.
Murphy.	Warwick.
Negley.	Williams
Nicholson.	of Sabine.
O'Neill.	Woodall.
Palmer.	Woodruff.

Nays—1.

Olsen.

Present—Not Voting.

Wiggs.

Absent.

Acker.	Kemble.
Anderson.	Kenyon.
Baker.	Kincaid.
Beck.	King.
Bond.	Long of Houston.
Bradley.	Long of Wichita.
Brooks.	Loy.
Cox of Lamar.	Maynard.
DeWolfe.	Mullally.
Dunlap.	Petsch.
Duvall.	Rountree.
Fuchs.	Savage.
Gates.	Shelton.
Giles.	Shipman.
Graves of Erath.	Tillotson.
Hopkins.	Webb.
Hubbard.	Westbrook.
Kayton.	Williams
Keeton.	of Travis.
Keller.	Young.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
passed the following:

S. B. No. 612, A bill to be entitled
"An Act authorizing the Banking Com-
missioner of Texas to refund to banks
amounts of money due them as refunds
by reason of such banks having con-
verted or withdrawn from the guar-
anty fund system prior to the repeal of
the guaranty fund law, after carefully
calculating and retaining the estimated
amount of claims against the fund or
money on hand out of which such re-
funds may be made; providing that the
Banking Commissioner shall not be per-
sonally liable for making such refunds
in accordance with this act, and declar-
ing an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. McCombs, Senate
bill No. 501 was ordered not printed.

On motion of Mr. Sanders, Senate bill
No. 96 was ordered not printed.

PRESENTATION TO PARLIAMEN-
TARIAN.

Mr. Woodruff, on behalf of the mem-
bers of the House, presented Oveta Culp,
Parliamentarian of the House, with a
wrist watch as a token of appreciation
for her efficient service as House Par-
liamentarian.

Miss Culp then addressed the House,
thanking the members for the gift.

PRESENTATION TO CHIEF CLERK.

Mr. Woodruff, on the part of the
members of the House, presented Louise
Snow Phinney, Chief Clerk of the House,
with a writing desk as a token of ap-
preciation for her services as Chief
Clerk of the House.

Mrs. Phinney then addressed the

House, thanking the members for the gift.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 654.

Mr. Tillotson called up, for consideration at this time, the following conference committee report on House bill No. 654:

Committee Room,
Austin, Texas, March 5, 1929.

Hon. Barry Miller, President of the Senate; Hon. W. S. Barron, Speaker of the House of Representatives, and Hon. Fred Minor, Speaker Pro Tem. of the House of Representatives.

Gentlemen: We, your conference committee, appointed by your respective bodies to consider House bill No. 654, have had said bill under consideration and beg leave to report that we have reached the following agreement, to-wit:

We have carefully considered the differences between the House and the Senate as revealed in House bill No. 654 as it finally passed the Senate, and after careful study we have re-written the entire bill so as to eliminate the differences between the House and Senate, and the bill as re-written by this committee is attached to this committee report and is made a part hereof, which is here referred to.

We have eliminated the Senate amendment providing that no carrier may charge a rate greater than will yield a net of eight (8%) per cent per annum on his investment. We believe that this amendment is impractical and would involve excessive and unnecessary work in the enforcement of this law; again, it would work a hardship on the small operator whose investment is not large. We believe that in view of existing competition with truck operations and in view of other strict regulations provided by the bill, rates will be kept down to reasonable figures.

We have included in the bill the Senate amendment providing that the certificate of any holder may be cancelled if he fails to pay any gasoline tax or other tax imposed on his business by law.

We have retained the Senate amendment with reference to regulation of tonnage and equipment; however, we have changed this amendment so as to read "Railroad Commission" instead of "Highway Commission." We believe that it would not be good public policy to have the regulation of trucks divided on a vital matter between the Highway

Commission and the Railroad Commission. In other parts of the bill it is provided that the Railroad Commission must give due consideration to the orders and decrees of the Highway Commission so that to all intents and purposes this amendment is carried forward in the bill.

In lieu of the Pope amendment offered by the House, we have inserted in the bill the following provision: "Nothing in this act shall be construed as giving legislative sanction to any act that would violate the provisions of the anti-trust laws of Texas."

We have made other minor changes, particularly with reference to typographical errors, all of which appear in the bill as submitted.

Having carefully gone into this bill and being of the belief that the bill as finally worked out by us conforms to sound principles of regulation and that it will foster better public service by common carrier motor trucks, as well as protect the public, we recommend that the bill as re-written by us be adopted by both the House and Senate.

Respectfully submitted,
TILLOTSON,
BECK,
MAYNARD,
MORSE,
HUBBARD,

On the part of the House.

WOODWARD,
WITT,
WESTBROOK,
MARTIN,

On the part of the Senate.

Attached to and made a part of conference report on

H. B. No. 654, A bill to be entitled "An Act defining motor carriers and placing such motor carriers under the regulation of the Railroad Commission of Texas; providing for the classification of motor carriers into classes and providing that every motor carrier, in order to operate on the public highways, must have a permit or certificate of public convenience and necessity; providing further that such motor carriers may not operate without filing with the Railroad Commission of Texas a bond or insurance policy which will protect the public for injuries or loss resulting from such operation; declaring that such motor carriers are common carriers and giving to the Railroad Commission the power to regulate the routes and rates, schedules, service and safety of Class 'A' motor

carriers; providing for hearings on application for permits and certificates of convenience, and providing for appeal from the decisions of the Railroad Commission; providing for the attendance and fees for witnesses at public hearings; making the violation of any provision of the act a misdemeanor and imposing a penalty; providing for the recovery of penalties by the State for the violation of the rules and orders of the Commission and providing for the remedy of injunction to enforce the act; providing license fees for the creation of a fund for administering the act and providing a portion from sales of certificates shall go to the State Treasury for the benefit of the State highway fund; providing for the issuance of special identification plates for motor carrier vehicles and prescribing the fees therefor; appropriating a fund for the administration of the act in the event revenues from licenses are insufficient for that purpose; granting to the Railroad Commission power to prescribe rules and regulations that may be necessary to make the act effective; repealing all laws and parts of laws in conflict therewith, and providing that invalidity of one part shall not affect the validity of the remaining portions of the act, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. (a) The term "motor carrier" when used in this act denotes any person, firm, corporation, co-partnership, association, joint stock association, receiver, trustee or lessee who operates or causes to be operated any motor propelled vehicle (not usually operated on or over rails) over or along the highways or streets of this State for the purpose of carrying or transporting property for compensation or hire between two or more incorporated cities, towns or villages.

(b) For the purpose of this act, motor carriers are classified as follows:

Class "A" shall include motor carriers engaged in the business of carrying or transporting property for compensation or hire along the streets or highways of this State over fixed routes, under regular schedules and having fixed termini and receiving compensation or hire for such service in accordance with published rates and tariffs. Such operation being carried on between two or more incorporated cities, towns or villages.

Class "B" shall include motor carriers who transport or carry property for

compensation or hire between two or more incorporated cities, towns or villages, but who have no fixed routes, regular schedules or fixed termini or published rates.

(c) The term "Highway Commission" when used in this act denotes the Board of Highway Commissioners of the State of Texas.

(d) The term "Commission" when used in this act denotes the Railroad Commission of the State of Texas.

(e) The term "motor carrier vehicle" denotes a motor propelled vehicle used by a motor carrier for transporting property.

Sec. 2. All motor carriers as defined in the preceding sections are hereby declared to be common carriers and subject to regulation by the State of Texas, and shall not operate any motor propelled vehicle for the purpose of transportation or carriage of property for compensation or hire over any public highway or street in the State, except in accordance with the provisions of this act; provided, however, that nothing in this act or any provision thereof shall be construed or held to in any manner affect, limit or deprive cities and towns from exercising any of the powers granted them by Chapter 147, pages 307 to 318, inclusive, of the General Laws of the State of Texas passed by the Thirty-third Legislature or any amendments thereto.

Sec. 3. It is hereby declared that when existing transportation facilities on any highway in the State do not provide a service which the Commission shall deem adequate for the public, then such inadequacy of service shall be considered as creating a condition wherein the public convenience and necessity require the designation of, and the provision for, additional service on such highway, and it shall be the duty of the Commission to issue certificate or certificates as herein provided, if in the opinion of said Commission the issuance of such certificates will promote the public welfare; provided, however, that no certificate of public convenience and necessity shall be issued except to a motor carrier coming under Class "A" as herein defined.

Sec. 4. The Commission is hereby vested with power and authority, and it is hereby made its duty, to supervise and regulate the public service rendered by every Class "A" motor carrier operating over the public highways or streets of this State, to fix or approve the maximum, or minimum, or

maximum and minimum rates or charges of, and to prescribe all rules and regulations necessary for the government of, each Class "A" motor carrier; to prescribe the routes, schedules, service and safety of operations of each such motor carrier, to require the filing of such annual and other reports and of other data by such motor carrier as the Commission may deem necessary; and to supervise and regulate such motor carriers in all other matters affecting the relationship between such carriers and the shipping public, whether herein specifically mentioned or not. The Commission, in prescribing and adopting rules and regulations and in forming its conclusions and in prescribing its orders, shall give due and proper consideration to the orders, regulations, ordinances or recommendations of the Highway Commission of Texas, and to the recommendations of the commissioners courts of the several counties and to the recommendations or local government of any municipality through and between which routes for such Class "A" motor carriers are prescribed and adopted.

Sec. 5. No Class "A" motor carrier shall hereafter operate for the transportation of property for compensation or hire over the public highways or streets of this State without first having obtained from the Commission, under the provision of this act, a certificate declaring that the public convenience and necessity require such operation; provided, however, that when it appears to the satisfaction of the Commission that any Class "A" motor carrier making application for certificate is, at the time of the filing of the application, operating and has been continuously operating a motor-propelled vehicle service in good faith, of the character and kind as set forth in the definition of Class "A" motor carriers, over the particular highways designated in said application for certificate ever since February 20th, 1929, said Class "A" motor carrier shall, upon application, be granted a temporary certificate to operate just as said carrier shall have been operating during said period and no more; said temporary certificate shall become permanent without notice and hearing before the Commission unless a protest shall be filed with the Commission within thirty days after said temporary certificate is granted; and in the event protest is filed, then such temporary certificate shall continue in effect until said application and protest is heard and decided upon by the Commission, and said hearing

and decision shall be had and rendered by the Commission as speedily as possible.

At any time within thirty days after the day on which any temporary certificate is granted, anyone affected by the granting of said certificate may file with the Commission a protest against said certificate becoming or being made permanent, but such protest, to be considered by the Commission, must be filed within the specified thirty days and shall be in writing, and the author or authors of said protest shall supply the applying motor carrier with a copy of same, setting forth in detail the reasons for protest. In the event of protest to any application of any existing motor carrier, hearing upon such application and protest shall be had and decision rendered as provided for all other applications.

Any certificate held, owned or obtained by any Class "A" motor carrier under the provisions of this act may be sold, assigned, leased, transferred or inherited; provided, however, that any proposed sale, assignment, lease or transfer shall be first presented in writing to the Commission for its approval or disapproval, and the Commission may disapprove such proposed sale, assignment, lease or transfer if it be found and determined by the Commission that such proposed sale, assignment, lease or transfer is not made in good faith, or that the proposed purchaser, assignee, lessee or transferee is not able or capable of continuing the operation of the equipment proposed to be sold, assigned, leased or transferred, in such manner as to render the service demanded by the public necessity and convenience on and along the designated route; provided, however, that in case a certificate is transferred that the transferee shall pay to the Commission a sum of money equal to ten per cent (10%) of the amount paid as a consideration for the transfer of the certificate, which sum of ten per cent (10%) shall be deposited in the State Treasury to the credit of the highway fund of the State. Provided further, that any certificate obtained by any motor carrier, or by any assignee or transferee, shall be taken and held subject to the right of the State at any time to limit, restrict or forbid the use of the streets and highways of this State to any owner or holder of such certificate.

Sec. 6. (a) Each and every motor carrier now rendering that kind and

character of service as set forth in the definition of a Class "B" motor carrier or any other motor carrier that may hereafter desire to engage in the business of a Class "B" motor carrier, shall receive a permit from the Commission to engage in such business, but such permit shall not be issued until the applicant shall have in all things complied with the requirements of this act and general law applicable to Class "B" motor carriers, nor shall such permit be issued unless the character of business being done or to be done by the applicant strictly conforms to the definition of a Class "B" motor carrier. The Commission shall have the power, after notice and hearing, to revoke any existing permit when it appears that such permit holder has disobeyed or violated any provision of this act or of general law, or violated any rule or regulation of the Commission authorized by this act. The permits issued under the terms of this section shall not be assigned, devised or inherited.

(b) No application for a permit shall be considered by said Commission unless it be reduced to writing and set forth the following facts:

1. It shall contain the name and address of the applicant, and the names and addresses of its officers, if any, and shall give full information concerning the financial condition and physical properties of the applicant.

2. The application shall set forth the nature of the transportation in which the applicant wishes to engage, stating substantially the territory to be covered by the operation, and it shall give a description of each vehicle which the applicant intends to use.

3. The application shall state that it is not the intention of the applicant to operate regularly on schedules or to engage in the character of transportation defined in the definition of a Class "A" motor carrier.

Sec. 7. For the purpose of defraying the expense of administering this act, every Class "B" motor carrier shall at the time of the issuance of a permit to him and annually thereafter on or between September 1st and September 15th of each calendar year, pay a special fee of \$5.00 for each motor carrier vehicle operated or to be operated by such motor carrier.

Sec. 8. The Commission is hereby vested with power and authority, and it is hereby made its duty upon the filing of an application for a certificate of public convenience and necessity to

ascertain and determine under such rules and regulations as it may promulgate, after considering existing transportation facilities on such highways, and the demand for, or need of additional service, if there exists a public necessity for such service, and if public convenience will be promoted by granting said application and permitting the operation of motor vehicles on the highways designated in such application as a common carrier for hire.

Sec. 9. The Commission shall also ascertain and determine if a particular highway or highways designated in an application for a certificate of public convenience and necessity are of such type of construction or in such state of repair, or subject to such use as to permit of the use sought to be made by the applicant, without unreasonable interference with the use of such highways by the general public for highway purposes. And if the Commission shall determine, after hearing that the service rendered by existing transportation facilities or agencies on such highways is reasonably adequate, or that public convenience on such highways would not be promoted by granting of said application, and the operation of motor vehicles on public highways therein designated, or that such highway or highways are not in such state of repair, or are already subject to such use as would not permit of the use sought to be made by the applicant without unreasonable interference with the use of such highways by the general public for highway purposes, then in either or any of such event said application may be denied and said certificate refused, otherwise the application shall be granted and the certificate issued upon such terms and conditions as said Commission may impose and subject to such rules and regulations as it may thereafter prescribe.

The Commission shall have no power in any event to refuse an application for a certificate of convenience and necessity on the ground that there are existing railroad or interurban railroad transportation facilities sufficient to serve the transportation needs of the territory involved.

In determining whether or not a certificate should be issued to a Class "A" operator, the Commission shall give weight and due regard to (1) probable permanence and the quality of service offered by the applicant; (2) the financial ability and responsibility of the applicant and its organization and personnel; (3) the character of vehicles

and the character and location of depots or termini proposed to be used, and (4) the experience of the applicant in the transportation of property and the character of the bond or insurance proposed to be given to insure the protection of the public.

The Commission shall have the power and authority to grant temporary certificates to meet emergencies and shall have the power to make special rules and regulations to meet special conditions in different localities and for such time as in its judgment may be deemed expedient and best for the public welfare.

Sec. 10. No application for a certificate of public convenience and necessity shall be considered by said Commission unless it be in writing and set forth the following facts:

(1) It shall contain the name and address of the applicant and the names and addresses of its officers, if any, and shall give full information concerning the financial condition and physical properties of the applicant.

(2) The complete route or routes over which the applicant desires to operate, together with a description of each vehicle which the applicant intends to use.

(3) A proposed time schedule and a schedule of rates to be charged between the several points or localities to be served.

(4) It shall be accompanied by a plat or map showing the route or routes over which the applicant desires to operate, on which plat or map shall be delineated the line or lines of any existing transportation company or companies over the highways serving such territory, with the names and addresses of the owner or owners thereof, and shall point out the inadequacy of existing transportation facilities or service, and shall specify wherein additional facilities or service are required and would be secured by the granting of said application.

Sec. 11. Upon the filing of said application for a certificate, the Commission shall fix a time and place for hearing, and the place of hearing shall be in the city of Austin, Texas, unless otherwise ordered by the Commission. Notice of the filing of said application, and the time and place of hearing shall be given by mail not less than ten days exclusive of the day of mailing before such hearing, addressed to the owner or owners of existing motor carrier facilities over such highways, serving such territory as applicant seeks to

serve, as well as to the Highway Commission of the State of Texas, the county judge or judges of the counties and to the mayor of any incorporated city or town through which such carrier seeks to operate.

Sec. 12. The hearing on an application for certificate shall be conducted under such rules and regulations as the Commission may prescribe, and all parties interested, including the Highway Commission of this State, may appear, either in person or by counsel, and present such evidence and argument as they may desire and as the Commission may deem pertinent, in favor of or against the granting of said application. It shall be the duty of the Highway Commission of this State, upon the request of the Commission, to furnish any and all information that it has at its command relating to the highway or highways designated in such application, as well as such other information as said Commission may deem pertinent to the granting or refusal of such application. After such hearing, and such investigation as the Commission may make of its own motion, it shall be the duty of said Commission to either refuse said application or to grant said application and issue the certificate, upon such terms and conditions as it may impose and subject to such rules and regulations as it may thereafter prescribe.

The Commission, at any time after hearing had upon notice to the holder of any certificate granted under this act, and after opportunity given such holder to be heard, may, by its order duly entered, revoke, suspend, alter or amend any certificate issued under the provisions of this act; provided, such hearing shall reveal to the satisfaction of the Commission that such certificate holder has discontinued operation or has violated, refused or neglected to observe any of the Commission's orders, rates, rules or regulations; provided, that the holder of such certificate shall have the right of appeal as provided in this act.

Sec. 13. Before any permit may be issued to any Class "B" motor carrier, and before any certificate of public convenience and necessity may be issued to any Class "A" motor carrier, and before any motor carrier of either class may lawfully operate under such permit or certificate, as the case may be, such motor carrier shall file with the Commission a bond or insurance policy issued by some insurance company or bonding company authorized by law to transact business in Texas, in an amount to be fixed by the Commission

under such rules and regulations as it may prescribe, which bond or insurance policy shall provide that the obligor therein will pay to the extent of the face amount of such insurance policy or bond, all judgments which may be recovered against the motor carrier so filing said insurance policy or bond, based on claims for loss or damages from personal injury or loss of, or injury to, property occurring during the term of the said bond or policy and arising out of the actual operation of such motor carrier, and such bond or policy shall also provide for successive recoveries to the complete exhaustion of the face amount thereof and that such judgments will be paid by the obligor in said bond or insurance policy irrespective of the solvency or insolvency of the motor carrier; provided, however, such bond or policy shall not cover personal injuries sustained by the servants, agents or employees of such motor carrier. The term of such bond or insurance policy so filed shall be one year from the date thereof, and when issued by the obligor and filed by the motor carrier, such bond or insurance policy shall not be subject to cancellation for any cause by the obligor, and such bond or policy shall remain in force and effect as to all claims or causes of action based on injuries or loss occurring during the term of such bond or policy. Each such motor carrier shall, on or before the date of the expiration of the term of any policy or bond so filed by him, file a renewal thereof, or a new bond or policy containing the same terms and obligations of the preceding bond or policy, and shall each year thereafter on or before the expiration date of the existing bond or policy, file such renewal policy or bond so as to provide continuous and unbroken protection to the public having legal claims against such motor carrier, and in the event such renewal bond or policy is not so filed, the permit or certificate of public convenience and necessity of such motor carrier shall automatically expire and cease to exist.

Each motor carrier of Class "A" and Class "B" shall also protect his employees by taking out workmen's compensation insurance, either as provided by the workmen's compensation laws of the State of Texas or in a reliable insurance company approved by the Commission.

Sec. 13a. Before any permit is granted, the nature and character of equipment to be used and the amount and character of tonnage which may be hauled therein shall first be fixed and

approved by the Commission. Any person, association of persons, firm or corporation operating under the terms of this act using any equipment or hauling any tonnage over a highway of this State not approved by the Commission shall forfeit its permit and, in addition, shall be subject to a penalty of one hundred (\$100) dollars per day for each day or fraction thereof of which it may be found guilty of violating the provisions of this section, such penalty to be recovered by suit brought by the Attorney General in any district court of Travis county.

Sec. 14. The Commission shall have the power and authority under this act to hear and determine all applications of motor carriers; to determine complaints presented to it by such carrier, by any public official or by any citizen having an interest in the subject matter of the complaint, or it may institute and investigate any matter pertaining to motor carriers upon its own motion. The Commission, or any member thereof, or authorized representative of the Commission, shall have power to compel the attendance of witnesses, swear witnesses, take their testimony under oath, make record thereof, and if such record is made under the direction of a Commissioner, or authorized representative of the Commission, a majority of the Commission may, upon the record, render judgment as if the case had been heard before a majority of the members of the Commission. The Commission shall have the power and authority under this act to do and perform all necessary things to carry out the purpose, intent and provisions of this act, whether herein specifically mentioned or not, and to that end may hold hearings at any place in Texas which it may designate.

Sec. 15. Every witness who shall be summoned to appear before the Commission, or a Commissioner or authorized representative outside the county of his residence, shall receive for his attendance the same per diem and fees as now provided for witnesses in attendance in district courts of this State in criminal cases; such fees and mileage shall be ordered paid upon proper voucher, sworn to by such witness and approved by the Commission or the chairman thereof out of the moneys or funds arising under this act; provided, that no witness shall be entitled to any witness fees or mileage who is directly or indirectly interested in any motor carrier involved or concerning which the investigation or hearing on account of which he is called shall relate, and

no witnesses furnished with free transportation shall receive pay for the distance he may have traveled on such free transportation. All process issued by the Commission for summoning witnesses or other purposes shall be directed to the sheriff or any constable of any county in the State of Texas, and any sheriff or constable of any county in this State shall promptly execute any subpoenas or other documents directed to him by the Commission and shall receive such fees for this service as is now paid for like services in the district courts of this State, such payment to be made on accounts properly verified and approved by the Commission or the chairman thereof out of the fund provided in this act.

Sec. 16. (a) Every officer, agent, servant or employee of any corporation and every other person who violates or fails to comply with or procures, aids or abets in the violation of any provision of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by fine not to exceed five hundred (\$500) dollars, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, and the violations occurring on each day shall each constitute a separate offense.

(b) Any officer, agent, servant or employee of any motor carrier as hereinbefore defined, and any motor carrier as hereinbefore defined, who violates or fails to obey, observe or comply with any order, decision, rule or regulation, direction, demand or requirement of the Commission, shall be subject to and shall pay a penalty not exceeding five hundred (\$500) dollars for each and every day of such violation. Such penalty to be recovered in any court of competent jurisdiction in Travis county, Texas, or in the county in which the violation occurs. Suit for such penalty or penalties shall be instituted and conducted by the Attorney General of the State of Texas, or by the county or district attorney in the county in which the violation occurs, in the name of the State of Texas and by direction of the Railroad Commission of Texas.

(c) Upon the violation of any provision of this act, or upon the violation of any rule, regulation, order or decree of the Commission promulgated under the terms of this act, any district court of Travis county, Texas, or any district court of any county where such violation occurs, shall have the power to restrain and enjoin the person, firm or

corporation so offending from further violating the rules, regulations, orders and decrees of the Commission. Such injunctive relief may be granted upon the application of the Commission or upon the application of any person authorized by it to act. Such relief may be granted in suits for penalties as provided in subdivision (b) of this section, but a suit for penalty shall not be a condition precedent to the injunctive relief provided by this subdivision.

(d) Any authorized inspector for the Commission shall have the power and authority to make arrests for any violation of this act coming under his observation, but his authority to make arrests shall be confined solely to violations of this act, and it shall be the duty of all judges and peace officers of the counties and municipalities of this State to assist in the enforcement of this act.

Sec. 17. (a) For the purpose of defraying the expense of administering this act, every Class "A" motor carrier now regularly operating, or which shall hereafter regularly operate in this State, shall at the time of the issuance of a certificate of convenience and necessity, as provided herein and annually thereafter on or between September 1st and September 15th of each calendar year, pay a special fee of fifteen (\$15) dollars for each motor-propelled vehicle operated or to be operated by such motor carrier in the carriage of property. If the certificate of convenience and necessity herein referred to is issued after the month of September of any year, the fees paid shall be prorated to the remaining portion of the year ending August 31st following, but in no case less than one-fourth ($\frac{1}{4}$) the annual fee. In case of emergency or unusual temporary demands for transportation, the fee for additional motor-propelled vehicles for less periods shall be fixed by the Commission in such reasonable amounts as may be prescribed by general rule or temporary order. Every application for a certificate of convenience and necessity shall be accompanied by a filing fee in the sum of twenty-five (\$25) dollars, which fee shall be in addition to other fees and taxes and shall be retained by the Commission, whether the certificate of convenience and necessity be granted or not.

(b) Every application filed with the Commission for an order approving the lease, sale or transfer of any certificate of convenience and necessity shall be accompanied by a filing fee in the sum

of twenty-five (\$25) dollars, which fee shall be in addition to the other fees and taxes and shall be retained by the Commission whether the lease, sale or transfer of the certificate of convenience and necessity is approved or not.

(c) All fees except the fee provided in Section 5 of this act accruing under the terms of this act, and all fines and penalties collected under the provisions of this act, shall be payable to the State Treasury at Austin and credited to a fund to be known and designated as the "motor carrier fund," which fund is appropriated for the purpose of carrying out the terms of this act and out of which all warrants and expenditures necessary in administering and enforcing this act shall be paid.

Sec. 18. It shall be unlawful for any motor carrier as hereinbefore defined to operate any motor carrier vehicle within this State unless there shall be displayed and firmly fixed upon the front and rear of such vehicle an identification plate to be furnished by the Commission; each of such plates shall be designed so as to identify the vehicle on which the same is attached as being a vehicle authorized to operate under the terms of this law; said plate shall bear the number given to the vehicle by the Commission and such other marks of identification as may be necessary. The plates for Class "A" vehicles and the plates for Class "B" vehicles shall be different in design. The identification plates provided for herein shall be in addition to the regular license plates required by law. It shall be the duty of the Commission to provide these plates and each motor carrier vehicle operating in this State shall display one of said plates within sixty (60) days after this act takes effect, and such plates shall be issued annually thereafter and attached to each motor carrier vehicle not later than September 1st of each year. The Commission shall be authorized to collect from the applicant a fee of one (\$1.00) dollar for each plate so issued, and all fees for such plates shall be deposited in the State Treasury to the credit of the "motor carrier fund."

Sec. 19. (a) The Commission shall have the power to employ and appoint from time to time such experts, assistants, and other help, in addition to its present force, as may be deemed necessary to enable it at all times to properly administer and enforce this act. Such persons and employes of the Commission shall be paid for the serv-

ices rendered such sums as may be fixed and prescribed by the Commission in monthly installments, and such salaries, wages and all fees that may be paid to witnesses and officers shall be paid out of the motor carrier fund by the State Treasurer on warrant of the Comptroller of Public Accounts on order or voucher approved by the Commission or the Chairman thereof. All actual and necessary traveling expenses of the members of the Commission and employes shall also be paid out of said fund in the same manner as salaries, wages, and fees when such accounts shall have been itemized and sworn to by the Commission or employe incurring the expense and approved by the Commission or the Chairman thereof.

(b) If the amount of total fees collected under the provisions of this act shall not be sufficient during any annual period to pay such salaries, costs, charges, fees, and expenses, then the deficit shall be paid by the State Treasurer out of any fund not otherwise appropriated. Until sufficient funds have accrued to said motor carrier fund for the payment of expenses, fees, etc., as provided herein, said expenses shall be paid by the State Treasurer out of any funds not otherwise appropriated, such sum to be paid out of the general revenue not to exceed the sum of five thousand (\$5000) dollars, and said sum is hereby appropriated. Any surplus remaining in the motor carrier fund at the end of any fiscal year, after paying all such salaries, accounts, fees, and charges and after deducting such amounts as may be contracted to be paid and incurred and such sums as may be reasonably estimated by the Commission for its use pending further collection of fees, shall be paid over to the general revenue fund.

Sec. 20. If any motor carrier or other party at interest be dissatisfied with any decision, rate, charge, rule, order, act, or regulation adopted by the Commission, such dissatisfied person, association, corporation, or party after failing to get relief from the Commission may file a petition setting forth the particular objection to such decision, rate, charge, rule, order, act or regulations, or to either or all of them in the district court in Travis county, Texas, against said Commission as defendant. Said action shall have precedence over all other causes on the docket of a different nature and shall be tried and determined as other civil causes in said court. Either party to said action may appeal to the appellate

court having jurisdiction of said cause and said appeal shall be at once returnable to said appellate court having jurisdiction of said cause and said action so appealed shall have precedence in said appellate court over all causes of a different character therein pending; provided, that if the court be in session at the time such right of action accrues the suit may be filed during such term and stand ready for trial after ten days' notice. In all trials under this section the burden of proof shall rest upon plaintiff, who must show by the preponderance of evidence that the decisions, rates, regulations, rules, orders, classifications, acts, or charges complained of are unreasonable and unjust to it or them. The Commission shall not be required to give any appeal bond in any cause arising hereunder and no injunction shall be granted against any order of the Commission without hearing unless it shall clearly appear that irreparable injury will be done the complaining party if the injunction is not granted.

Sec. 21. Whenever notice is required in this act to be given ten days exclusive of the day of service and return shall be considered as reasonable notice; provided, that in case of emergency the Commission may hear any cause or complaint on less than ten days' notice.

Sec. 22. The State Board of Control is hereby authorized and directed to set aside such additional office space in the Capitol at Austin as may be deemed necessary by the Commission for the proper performance of its added duties as herein defined.

Sec. 22a. Any certificate of public convenience and necessity shall be cancelled by the Commission if the owner or owners thereof shall in any manner avoid, fail or refuse to pay any gasoline or other tax imposed by law on such business.

Sec. 23. All laws and parts of laws in conflict herewith are hereby expressly repealed. Provided, however, that nothing in this act shall be construed as giving legislative sanction to any act that would violate the provisions of the Anti-Trust Laws of Texas.

Sec. 24. If any section, subsection, sentence, clause or phrase of this act is held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act.

Sec. 25. The fact that there is at this time a large number of individuals, firms and corporations using the highways of this State for the trans-

portation of property for hire, by motor-propelled vehicles, and the further fact that there is no law regulating this extensive branch of common carrier service, and no law to protect the public in its dealings with common carriers, creates an emergency and a public necessity requiring the suspension of the constitutional rule which requires all bills to be read in each house on three several days, and that such rule be and the same is hereby suspended, and that this act shall take effect from and after its passage, and it is so enacted.

On motion of Mr. Tillotson, the report was adopted by the following vote:

Yeas—105.

Ackerman.	Kennedy.
Adkins.	King.
Albritton.	Kinnear.
Baldwin.	Lemens.
Barnett.	Long of Wichita.
Bateman.	Martin.
Beck.	Mauritz.
Bounds.	Maynard.
Brice.	McCombs.
Brooks.	McGill.
Carpenter.	McKean.
Coltrin.	Mehl.
Conway.	Metcalfe.
Cox of Navarro.	Minor.
Cox of Limestone.	Montgomery.
Davis.	Moore.
DeWolfe.	Morse.
Duvall.	Mosely.
Enderby.	Murphy.
Ewing.	Negley.
Eickenroht.	Nicholson.
Finn.	Olsen.
Finlay.	O'Neill.
Forbes.	Palmer.
Gilbert.	Patterson.
Graves	Pavlica.
of Williamson.	Petsch.
Hardy.	Pool.
Harding.	Pope of Jones.
Harper.	Prendergast.
Heaton.	Purl.
Hefley.	Quinn.
Hines.	Reader.
Hogg.	Reid.
Holder.	Renfro.
Hopkins.	Richardson.
Hornaday.	Rogers.
Hubbard.	Rountree.
Jenkins.	Sanders.
Johnson	Shaver.
of Dimmit.	Sherrill.
Johnson of Smith.	Simmons.
Jones.	Sinks.
Justiss.	Smith.
Kayton.	Snelgrove.
Kemble.	Speck.

Stevenson.	Waddell.
Strong.	Walters.
Tarwater.	Warwick.
Thompson.	Williams
Thurmond.	of Travis.
Tillotson.	Woodall.
Turner.	Woodruff.
Veatch.	Young.

Nays—3.

Harman.	Wiggs.
Wallace.	

Absent.

Acker.	Lee.
Anderson.	Long of Houston.
Baker.	Loy.
Bond.	Mankin.
Bradley.	McDonald.
Chastain.	Mullally.
Cox of Lamar.	Pope of Nueces.
Dunlap.	Savage.
Fuchs.	Shelton.
Gates.	Shipman.
Gerron.	Stephens.
Giles.	Storey.
Graves of Erath.	Van Zandt.
Johnson of Scurry.	Webb.
Keeton.	Westbrook.
Keller.	Williams
Kenyon.	of Sabine.
Kincaid.	

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

SENATE BILL ON FIRST READING.

Senate bill No. 612, received from the Senate today, was laid before the House, read first time and referred to the Committee on Banks and Banking.

CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 567.

Mr. Graves of Williamson called up for consideration at this time the conference committee report on House bill No. 567, the report having heretofore been read to the House and printed in the Journal.

Mr. Graves of Williamson moved that the report be adopted.

Mr. Young moved, as a substitute motion, that the report be not adopted and that a new conference committee be requested to adjust the differences.

Mr. Storey moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m. today and the call was duly ordered.

The Speaker then ordered the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Albritton, the Sergeant-at-Arms was instructed to bring in all absent members in the city who are not ill.

Mr. Storey moved a call of the House for the purpose of maintaining a quorum pending consideration of conference committee report on House bill No. 567, and the call was duly seconded.

Question recurring on the motion of the call, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—54.

Barnett.	McDonald.
Bateman.	McGill.
Beck.	Metcalfe.
Carpenter.	Montgomery.
Chastain.	Moore.
Conway.	Morse.
Cox of Navarro.	Murphy.
Cox of Limestone.	Nicholson.
Duvall.	Petsch.
Ewing.	Pool.
Graves	Pope of Jones.
of Williamson.	Purl.
Harman.	Sanders.
Harper.	Savage.
Hogg.	Shaver.
Holder.	Simmons.
Hubbard.	Smith.
Jenkins.	Speck.
Johnson	Storey.
of Dimmit.	Thompson.
Johnson of Smith.	Thurmond.
Kemble.	Turner.
Kinnear.	Van Zandt.
Lee.	Warwick.
Lemens.	Westbrook.
Mankin.	Williams
Martin.	of Travis.
Mauritz.	Young.
Maynard.	

Nays—58.

Ackerman.	DeWolfe.
Adkins.	Enderby.
Albritton.	Eickenroht.
Bounds.	Finn.
Brice.	Finlay.
Brooks.	Forbes.
Coltrin.	Gerron.
Cox of Lamar.	Gilbert.
Davis.	Hardy.

Harding.	Quinn.
Heaton.	Reader.
Hefley.	Reid.
Hines.	Renfro.
Hornaday.	Richardson.
Jones.	Rountree.
Justiss.	Sinks.
Keeton.	Snelgrove.
Keller.	Stephens.
Kennedy.	Strong.
King.	Tarwater.
Long of Wichita.	Tillotson.
Loy.	Veatch.
McCombs.	Waddell.
McKean.	Wallace.
Mosely.	Walters.
Mullally.	Webb.
Olsen.	Williams
Palmer.	of Sabine.
Pavlica.	Woodall.
Pope of Nueces.	

Present—Not Voting.

O'Neill.

Absent.

Acker.	Kenyon.
Anderson.	Kincaid.
Baker.	Long of Houston.
Baldwin.	Mehl.
Bond.	Negley.
Bradley.	Patterson.
Dunlap.	Prendergast.
Fuchs.	Rogers.
Gates.	Shelton.
Giles.	Sherrill.
Graves of Erath.	Shipman.
Hopkins.	Stevenson.
Johnson of Scurry.	Wiggs.
Kayton.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 194, "An Act to aid the city of Port Arthur in the construction of a seawall, breakwater or revetment work, so as to protect said city from calamitous overflows, by donating to said city all the State ad valorem taxes collected on property in Port Arthur and precinct No. 2, in Jefferson county, from persons in precinct No. 2, in Jefferson county, for a period of ten years."

S. B. No. 82, "An Act to provide for

the sale and lease of minerals in and on University lands; to provide for re-surveying, dividing and marking said lands; prescribing the method of making and returning bids therefor; prescribing the minimum royalty and minimum rental thereon; authorizing the rejection of any and all bids therefor and the sale thereof at open auction; prescribing duties of the board of regents of the University of Texas and of the Commissioner of the General Land Office of Texas; providing for the execution of mineral leases on said lands, and repealing all laws in conflict therewith, and declaring an emergency."

H. C. R. No. 39, Recalling House bill No. 313 from the Governor.

H. C. R. No. 38, Extending time for consideration of House bills.

PROVIDING FOR FURTHER CONSIDERATION OF BILLS ON SECOND READING.

Mr. Kemble offered the following resolution:

Whereas, The House desires to consider bills on second reading for a further period; therefore, be it

Resolved, by the House, That paragraph 5 of Section 5 of Rule 19 be, and it is hereby, suspended until Wednesday, 12 o'clock noon.

The resolution was read second time and was adopted by the following vote:

Yeas—81.

Adkins.	Hines.
Baldwin.	Hogg.
Barnett.	Holder.
Bateman.	Hopkins.
Beck.	Johnson
Bounds.	of Dimmit.
Brice.	Johnson of Smith.
Carpenter.	Jones.
Chastain.	Justiss.
Conway.	Keller.
Cox of Navarro.	Kemble.
Cox of Limestone.	Kinnear.
Davis.	Lemens.
Duvall.	Loy.
Ewing.	Mankin.
Eickenroht.	Martin.
Finn.	Mauritz.
Forbes.	Maynard.
Gerron.	McCombs.
Gilbert.	McDonald.
Graves	McGill.
of Williamson.	McKean.
Hardy.	Minor.
Harding.	Montgomery.
Harman.	Moore.
Harper.	Morse.
Hefley.	Mullally.

Murphy.	Smith.
Negley.	Speck.
O'Neill.	Strong.
Palmer.	Thompson.
Petsch.	Thurmond.
Pope of Jones.	Turner.
Pope of Nueces.	Van Zandt.
Purl.	Waddell.
Quinn.	Walters.
Reader.	Warwick.
Reid.	Webb.
Rountree.	Westbrook.
Sanders.	Williams
Savage.	of Sabine.
Shaver.	Woodall.
Sinks.	Young.

Nays—22.

Ackerman.	Metcalf.
Albritton.	Mosely.
Coltrin.	Olsen.
Cox of Lamar.	Prendergast.
Finlay.	Rogers.
Heaton.	Simmons.
Hornaday.	Snelgrove.
Hubbard.	Stephens.
Kennedy.	Tarwater.
King.	Tillotson.
Long of Wichita.	Wallace.

Absent.

Acker.	Lee.
Anderson.	Long of Houston.
Baker.	Mehl.
Bond.	Nicholson.
Bradley.	Patterson.
Brooks.	Pavlica.
DeWolfe.	Pool.
Dunlap.	Renfro.
Enderby.	Richardson.
Fuchs.	Shelton.
Gates.	Sherrill.
Giles.	Shipman.
Graves of Erath.	Stevenson.
Jenkins.	Storey.
Johnson of Scurry.	Veatch.
Kayton.	Wiggs.
Keeton.	Williams
Kenyon.	of Travis.
Kincaid.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

RELATING TO SUSPENSION OF
HOUSE RULE.

Mr. Holder offered the following resolution:

Resolved, That the suspension period be extended for the remainder of Tuesday.

The resolution was read second time and was adopted by the following vote:

Yeas—94.

Ackerman.	Mauritz.
Baldwin.	Maynard.
Barnett.	McCombs.
Bateman.	McDonald.
Bounds.	McGill.
Brice.	McKean.
Brooks.	Metcalf.
Carpenter.	Minor.
Chastain.	Montgomery.
Coltrin.	Moore.
Conway.	Morse.
Cox of Lamar.	Mosely.
Davis.	Mullally.
DeWolfe.	Murphy.
Duvall.	Negley.
Ewing.	Olsen.
Eickenroht.	Palmer.
Finn.	Patterson.
Finlay.	Petsch.
Forbes.	Pool.
Gerron.	Pope of Jones.
Gilbert.	Pope of Nueces.
Graves	Prendergast.
of Williamson.	Purl.
Hardy.	Quinn.
Harman.	Reader.
Harper.	Reid.
Hefley.	Renfro.
Hines.	Rogers.
Hogg.	Sanders.
Holder.	Savage.
Hopkins.	Shaver.
Hornaday.	Simmons.
Hubbard.	Sinks.
Jenkins.	Smith.
Johnson	Snelgrove.
of Dimmit.	Speck.
Johnson of Smith.	Strong.
Jones.	Tarwater.
Justiss.	Thompson.
Keller.	Thurmond.
Kemble.	Tillotson.
Kennedy.	Turner.
Kinnear.	Walters.
Lemens.	Warwick.
Long of Wichita.	Webb.
Loy.	Westbrook.
Martin.	Young.

Nays—7.

Albritton.	Rountree.
Beck.	Stephens.
Heaton.	Woodall.
King.	

Present—Not Voting.

Adkins.	Kayton.
Cox of Limestone.	

Absent.

Acker.	Baker.
Anderson.	Bond.

Bradley.	O'Neill.
Cox of Navarro.	Pavlica.
Dunlap.	Richardson.
Enderby.	Shelton.
Fuchs.	Sherrill.
Gates.	Shipman.
Giles.	Stevenson.
Graves of Erath.	Storey.
Harding.	Van Zandt.
Johnson of Scurry.	Veatch.
Keeton.	Waddell.
Kenyon.	Wiggs.
Kincaid.	Williams
Lee.	of Sabine.
Long of Houston.	Williams
Mankin.	of Travis.
Mehl.	Woodruff.
Nicholson.	

Absent—Excused.

Mr. Speaker.	Wallace.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.
Ray.	

BILLS ORDERED NOT PRINTED.

On motion of Mr. Pope of Jones, Senate bill No. 613 was ordered not printed.

On motion of Mr. Montgomery, Senate bill No. 612 was ordered not printed.

On motion of Mr. Bateman, Senate bill No. 443 was ordered not printed.

RECESS.

On motion of Mr. Woodall, the House, at 12:15 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Mr. Minor.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. C. R. No. 46, Providing for a legislative committee to investigate and report to the Legislature in reference to amounts earned and retained by officers of this State who are paid in fees, or partly in fees.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RELATING TO CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 313.

Mr. Sanders moved to reconsider the vote by which the conference committee report on House bill No. 313 was adopted.

The motion to reconsider prevailed.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 606, "An Act ratifying and validating the creation and consolidation proceedings creating Carey Consolidated Rural High School District No. 10 of Childress county, Texas, by consolidating Purple Hill Common School District No. 14, Prairie Hill Common School District No. 4, Carey Common School District No. 10 and Valley View Common School District No. 28, all in Childress county, Texas; ratifying and validating all orders, petitions, notices, elections, orders declaring results of elections, and describing the boundaries of such consolidated rural high school district; validating election and election proceedings held on the 6th day of February, 1929, in such consolidated district, authorizing the issuance of \$60,000 schoolhouse bonds and levying a tax in payment thereof, including the petitions, orders, notices, election, election returns, and authorizing the board of trustees to complete the issuance and sale of such bonds, and declaring an emergency."

H. B. No. 555, "An Act fixing the bag limit on doves and quail in Wood county, declaring the violation of such law to be a misdemeanor."

H. B. No. 554, "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the county of Bastrop, State of Texas, for a period of five years from and after the passage of this act."

H. B. No. 61, "An Act creating Dallas county fresh water supply district No. 9."

H. B. No. 62, "An Act creating Dallas County Beverly Hills fresh water supply district No. 2."

S. B. No. 220, "An Act providing for the regulation of local mutual aid associations paying a death benefit operating an insurance business and paying benefits, where funds are provided by assessments on members; defining the

laws and manners under which such associations may operate; prescribing for and requiring among other things: the territorial limits of such associations and prohibiting the connection of any two associations of the same character; the number of persons who may organize such associations, and the requirements of the articles of association in the formation of such associations; a bond as a prerequisite of the organization of such associations and the amount and conditions of such bond; approval of constitution and by-laws under which such associations will operate; the investigation of the organizers of said associations by the Board of Insurance Commissioners after organization; the issuance of certificate of authority to do business in the State by the Board of Insurance Commissioners of Texas; the manner and condition of recovering on said bond and the amount of recovery thereon, and the venue of such action to be in Travis county, Texas; the jurisdiction of the court in which such action may be filed, the by-laws of such associations and the membership of such associations, and for the grouping of the members into groups or classes, and prohibiting such associations from issuing certificates with level premium rates or guaranteed cost or certificates having surrender or loan value features; defining and prescribing who may be beneficiaries," etc.

S. B. No. 579, "An Act repealing certain sections of the local road law of Franklin county, Texas, amending Sections 8 and 10 of said local road law, said local road law and this act relating to the public roads of said county, and regulating the construction and maintenance of same, and declaring an emergency."

CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 567.

The House resumed consideration of pending business, same being the conference committee report on House bill No. 567, with motion of Mr. Johnson of Dimmit that the report be adopted, and motion by Mr. Young that the report be not adopted and that a new committee be requested to adjust the differences, pending.

Mr. Kemble moved the previous question on the pending motions, and the main question was ordered.

Mr. Pope of Nueces moved a call of the House for the purpose of maintain-

ing a quorum until 5:30 o'clock p. m. today, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The roll was called and the result announced as follows: Yeas 51, nays 52.

Mr. Purl called for a verification of the vote.

The roll of the yeas and nays was then called, and the verified vote stood as follows:

Yeas—51.

Adkins.	McGill.
Barnett.	Minor.
Beck.	Montgomery.
Carpenter.	Moore.
Chastain.	Morse.
Coltrin.	Murphy.
Conway.	Negley.
Cox of Limestone.	Pope of Jones.
Davis.	Pope of Nueces.
Duvall.	Purl.
Forbes.	Quinn.
Giles.	Reader.
Graves.	Sanders.
of Williamson.	Savage.
Harper.	Shaver.
Hogg.	Simmons.
Holder.	Sinks.
Hubbard.	Smith.
Jenkins.	Strong.
Johnson.	Tarwater.
of Dimmit.	Thompson.
Kennedy.	Turner.
Lee.	Van Zandt.
Lemens.	Walters.
Loy.	Williams.
Mankin.	of Travis.
Mauritz.	Young.

Nays—54.

Ackerman.	Justiss.
Albritton.	Kayton.
Baldwin.	Keeton.
Bounds.	King.
Brice.	Kinnear.
Cox of Navarro.	Long of Wichita.
Cox of Lamar.	Martin.
DeWolfe.	Maynard.
Enderby.	McDonald.
Ewing.	McKean.
Eickenroht.	Metcalfe.
Finn.	Mosely.
Finlay.	Olsen.
Gerron.	Palmer.
Hardy.	Patterson.
Harman.	Pavlica.
Heaton.	Pool.
Hefley.	Prendergast.
Hines.	Reid.
Hornaday.	Renfro.
Johnson of Smith.	Richardson.
Jones.	Rogers.

Rountree.
Snelgrove.
Stephens.
Storey.
Tillotson.

Veatch.
Waddell.
Webb.
Wiggs.
Woodall.

Absent.

Acker.	Long of Houston.
Anderson.	McCombs.
Baker.	Mehl.
Bateman.	Mullally.
Bond.	Nicholson.
Bradley.	O'Neill.
Brooks.	Petsch.
Dunlap.	Shelton.
Fuchs.	Sherrill.
Gates.	Shipman.
Gilbert.	Speck.
Graves of Erath.	Stevenson.
Harding.	Thurmond.
Hopkins.	Wallace.
Johnson of Scurry.	Warwick.
Keller.	Westbrook.
Kemble.	Williams
Kenyon.	of Sabine.
Kincaid.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

Mr. Morse moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. today, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—52.

Ackerman.	Hogg.
Adkins.	Kemble.
Baldwin.	Kennedy.
Barnett.	Lee.
Beck.	Mankin.
Carpenter.	Martin.
Chastain.	Mauritz.
Coltrin.	McCombs.
Conway.	McDonald.
Cox of Navarro.	McGill.
Cox of Limestone.	Montgomery.
Davis.	Moore.
Duvall.	Morse.
Ewing.	Negley.
Forbes.	Petsch.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Harper.	Purl.
Johnson	Quinn.
of Dimmit.	Sanders.

Savage.
Shaver.
Simmons.
Smith.
Thompson.
Thurmond.
Turner.

Van Zandt.
Waddell.
Walters.
Warwick.
Williams
of Travis.
Young.

Nays—56.

Albritton.	Loy.
Bounds.	Maynard.
Brice.	McKean.
Cox of Lamar.	Metcalf.
DeWolfe.	Mosely.
Enderby.	Mullally.
Eickenroht.	Murphy.
Finn.	Olsen.
Finlay.	Palmer.
Gerron.	Patterson.
Gilbert.	Pavlica.
Hardy.	Prendergast.
Harding.	Reader.
Harman.	Reid.
Hefley.	Renfro.
Hines.	Richardson.
Holder.	Rogers.
Hopkins.	Rountree.
Hornaday.	Snelgrove.
Jenkins.	Stephens.
Johnson of Smith.	Storey.
Jones.	Strong.
Justiss.	Tarwater.
Kayton.	Veatch.
Keeton.	Wallace.
King.	Webb.
Kinnear.	Wiggs.
Long of Wichita.	Woodall.

Absent.

Acker.	Lemens.
Anderson.	Long of Houston.
Baker.	Mehl.
Bateman.	Nicholson.
Bond.	O'Neill.
Bradley.	Shelton.
Brooks.	Sherrill.
Dunlap.	Shipman.
Fuchs.	Sinks.
Gates.	Speck.
Graves of Erath.	Stevenson.
Heaton.	Tillotson.
Hubbard.	Westbrook.
Johnson of Scurry.	Williams
Keller.	of Sabine.
Kenyon.	Woodruff.
Kincaid.	

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

Question recurring on the substitute motion by Mr. Young, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—58.

Ackerman.	Long of Wichita.
Adkins.	Loy.
Albritton.	Maynard.
Bounds.	McDonald.
Brice.	McKean.
Coltrin.	Metcalf.
Cox of Navarro.	Mosely.
Cox of Lamar.	Murphy.
Cox of Limestone.	Palmer.
Enderby.	Pavlica.
Ewing.	Pope of Nueces.
Eickenroht.	Prendergast.
Finn.	Reader.
Finlay.	Reid.
Gerron.	Renfro.
Giles.	Richardson.
Hardy.	Rogers.
Harding.	Sinks.
Harman.	Snelgrove.
Harper.	Stephens.
Heaton.	Storey.
Hefley.	Tarwater.
Hopkins.	Thurmond.
Jenkins.	Veatch.
Johnson of Smith.	Walters.
Kayton.	Webb.
Keeton.	Wiggs.
Kennedy.	Woodall.
King.	Young.
Lee.	

Nays—53.

Baldwin.	Montgomery.
Barnett.	Moore.
Beck.	Morse.
Carpenter.	Mullally.
Chastain.	Negley.
Conway.	Olsen.
Davis.	Patterson.
Duvall.	Petsch.
Forbes.	Pool.
Gilbert.	Pope of Jones.
Graves	Purl.
of Williamson.	Quinn.
Hines.	Rountree.
Hogg.	Sanders.
Holder.	Savage.
Hornaday.	Shaver.
Hubbard.	Simmons.
Johnson	Smith.
of Dimmit.	Speck.
Jones.	Strong.
Justiss.	Thompson.
Kemble.	Turner.
Kinnear.	Van Zandt.
Mankin.	Waddell.
Martin.	Wallace.
Mauritz.	Warwick.
McCombs.	Williams
McGill.	of Travis.

Absent.

Acker.	Kincaid.
Anderson.	Lemens.
Baker.	Long of Houston.
Bateman.	Mehl.
Bond.	Nicholson.
Bradley.	O'Neill.
Brooks.	Shelton.
DeWolfe.	Sherrill.
Dunlap.	Shipman.
Fuchs.	Stevenson.
Gates.	Tillotson.
Graves of Erath.	Westbrook.
Johnson of Scurry.	Williams
Keller.	of Sabine.
Kenyon.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

The motion as substituted was then adopted by the following vote:

Yeas—60.

Ackerman.	Long of Wichita.
Adkins.	Maynard.
Albritton.	McDonald.
Barnett.	McKean.
Bounds.	Metcalf.
Brice.	Mosely.
Coltrin.	Murphy.
Cox of Navarro.	Palmer.
Cox of Lamar.	Pavlica.
Cox of Limestone.	Pope of Nueces.
Enderby.	Prendergast.
Ewing.	Quinn.
Eickenroht.	Reader.
Finn.	Reid.
Finlay.	Renfro.
Gerron.	Rogers.
Giles.	Sinks.
Hardy.	Snelgrove.
Harding.	Speck.
Harman.	Stephens.
Harper.	Storey.
Heaton.	Strong.
Hefley.	Tarwater.
Hopkins.	Thurmond.
Jenkins.	Walters.
Johnson of Smith.	Webb.
Kayton.	Wiggs.
Keeton.	Woodall.
Kennedy.	Woodruff.
King.	Young.
Lee.	

Nays—44.

Baldwin.	Chastain.
Beck.	Conway.
Brooks.	Davis.
Carpenter.	Duvall.

Forbes.
Gilbert.
Graves
of Williamson.
Hines.
Holder.
Hornaday.
Johnson
of Dimmit.
Jones.
Justiss.
Kemble.
Kinnear.
Mankin.
Martin.
Mauritz.
McCombs.
McGill.
Montgomery.
Moore.

Morse.
Mullally.
Patterson.
Pool.
Pope of Jones.
Richardson.
Rountree.
Sanders.
Savage.
Shaver.
Simmons.
Smith.
Turner.
Van Zandt.
Waddell.
Wallace.
Warwick.
Williams
of Travis.

Absent.

Acker.
Anderson.
Baker.
Bateman.
Bond.
Bradley.
De Wolfe.
Dunlap.
Fuchs.
Gates.
Graves of Erath.
Hogg.
Hubbard.
Johnson of Scurry.
Keller.
Kenyon.
Kincaid.
Lemens.
Long of Houston.

Loy.
Mehl.
Negley.
Nicholson.
Olsen.
O'Neill.
Petsch.
Purl.
Shelton.
Sherrill.
Shipman.
Stevenson.
Thompson.
Tillotson.
Veatch.
Westbrook.
Williams
of Sabine.

Absent—Excused.

Mr. Speaker.
Avis.
Harrison.
Land.

Ray.
White.
Williams
of Hardin.

Mr. Kayton moved to reconsider the vote by which the motion prevailed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 596 ON SECOND READING.

Mr. Pope of Nueces moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 596 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Ackerman.
Adkins.
Albritton.
Baldwin.
Barnett.
Bateman.
Beck.
Bounds.
Brice.
Brooks.
Carpenter.
Chastain.
Coltrin.
Conway.
Cox of Navarro.
Cox of Lamar.
Cox of Limestone.
Davis.
De Wolfe.
Duvall.
Enderby.
Ewing.
Eickenroht.
Finn.
Finlay.
Forbes.
Gerron.
Gilbert.
Graves
of Williamson.
Hardy.
Harman.
Harper.
Heaton.
Hefley.
Hogg.
Holder.
Hopkins.
Hornaday.
Hubbard.
Jenkins.
Johnson
of Dimmit.
Johnson of Smith.
Jones.
Justiss.
Kayton.
Keeton.
Kennedy.
King.
Kinnear.
Lee.
Lemens.
Long of Wichita.
Loy.

Mankin.
Martin.
Mauritz.
Maynard.
McCombs.
McDonald.
McGill.
Metcalf.
Montgomery.
Moore.
Mosely.
Mullally.
Murphy.
Negley.
Olsen.
Palmer.
Patterson.
Pavlica.
Pool.
Pope of Jones.
Pope of Nueces.
Prendergast.
Purl.
Quinn.
Reader.
Reid.
Renfro.
Richardson.
Rogers.
Rountree.
Sanders.
Savage.
Shaver.
Simmons.
Sinks.
Smith.
Snelgrove.
Speck.
Stephens.
Storey.
Strong.
Tarwater.
Thompson.
Thurmond.
Turner.
Van Zandt.
Veatch.
Waddell.
Walters.
Warwick.
Webb.
Wiggs.
Woodall.
Young.

Absent.

Acker.
Anderson.
Baker.
Bond.
Bradley.
Dunlap.
Fuchs.
Gates.

Giles.
Graves of Erath.
Harding.
Hines.
Johnson of Scurry.
Keller.
Kemble.
Kenyon.

Kincaid.	Shipman.
Long of Houston.	Stevenson.
McKean.	Tillotson.
Mehl.	Wallace.
Morse.	Westbrook.
Nicholson.	Williams
O'Neill.	of Sabine.
Petsch.	Williams
Shelton.	of Travis.
Sherrill.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 596, A bill to be entitled "An Act increasing the compensation of certain county attorneys in counties having no district attorney."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 596 ON THIRD READING.

The Speaker then laid Senate bill No. 596 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Ackerman.	Harman.
Adkins.	Harper.
Albritton.	Heaton.
Baldwin.	Hefley.
Barnett.	Hines.
Bateman.	Hogg.
Beck.	Holder.
Bounds.	Hopkins.
Brice.	Hornaday.
Carpenter.	Hubbard.
Chastain.	Jenkins.
Coltrin.	Johnson of Smith.
Conway.	Jones.
Cox of Navarro.	Justiss.
Cox of Lamar.	Kayton.
Cox of Limestone.	Keeton.
Davis.	Kennedy.
DeWolfe.	King.
Duvall.	Kinnear.
Enderby.	Lee.
Ewing.	Lemens.
Eickenroht.	Long of Wichita.
Finn.	Loy.
Finlay.	Mankin.
Forbes.	Martin.
Gerron.	Mauritz.
Gilbert.	McCombs.
Hardy.	McDonald.

McGill.	Savage.
McKean.	Shaver.
Metcalfe.	Simmons.
Minor.	Sinks.
Montgomery.	Smith.
Moore.	Snelgrove.
Mosely.	Speck.
Murphy.	Stephens.
Negley.	Storey.
Olsen.	Strong.
Palmer.	Tarwater.
Patterson.	Thompson.
Pavlica.	Thurmond.
Pool.	Turner.
Pope of Jones.	Van Zandt.
Pope of Nueces.	Veatch.
Prendergast.	Waddell.
Purl.	Walters.
Quinn.	Warwick.
Reader.	Webb.
Reid.	Wiggs.
Renfro.	Woodall.
Rountree.	Young.
Sanders.	

Nays—1.

Richardson.

Absent.

Acker.	Long of Houston.
Anderson.	Maynard.
Baker.	Mehl.
Bond.	Morse.
Bradley.	Mullally.
Brooks.	Nicholson.
Dunlap.	O'Neill.
Fuchs.	Petsch.
Gates.	Rogers.
Giles.	Shelton.
Graves	Sherrill.
of Williamson.	Shipman.
Graves of Erath.	Stevenson.
Harding.	Tillotson.
Johnson	Wallace.
of Dimmit.	Westbrook.
Johnson of Scurry.	Williams
Keller.	of Sabine.
Kemble.	Williams
Kenyon.	of Travis.
Kincaid.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

SENATE BILL NO. 605 ON SECOND READING.

On motion of Mr. Pope of Nueces, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 605, A bill to be entitled "An Act to diminish the civil jurisdiction of the county court of Nueces"

county; to conform the jurisdiction of the 113th District Court of Nueces county thereto," etc.

The Speaker laid the bill before the House and it was read second time.

Mr. Pope of Nueces offered the following amendments to the bill:

(1)

Amend Senate bill No. 605 by striking out all after the word "follows," in Section 9, down to Section 10, and insert in lieu thereof the following:

"In the county of Kleberg on the first Monday in January of each year, and may continue in session two weeks; on the nineteenth Monday after the first Monday in January of each year, and may continue in session two weeks; and on the last Monday in August of each year, and may continue in session two weeks.

"In the county of Kennedy on the second Monday after the first Monday in January, and may continue in session one week; and on the twenty-ninth Monday after the first Monday in January of each year, and may continue in session two weeks.

"In the county of Nueces on the third Monday after the first Monday in January of each year, and may continue in session eight weeks; on the eleventh Monday after the first Monday in January of each year, and may continue in session eight weeks; on the twenty-first Monday after the first Monday in January of each year, and may continue in session eight weeks; on the second Monday in September of each year, and may continue in session eight weeks; on the eighth Monday after the second Monday in September of each year, and may continue in session eight weeks."

(2)

Amend Senate bill No. 605 by striking out the following words in lines 26 and 27, page 10, to wit: "Other jurisdiction than that in this paragraph set forth"—and insert in lieu thereof the following: "Of the jurisdiction by this act withdrawn from said county court."

(3)

Amend Senate bill No. 605 by adding the figures "113," in line 7, page 10, after the word "the."

The amendments were severally adopted.

Mr. Harding moved the previous question on the passage of the bill to third reading, and the main question was ordered.

Senate bill No. 605 was then passed to third reading.

SENATE BILL NO. 605 ON THIRD READING.

Mr. Pope of Nueces moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 605 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94.

Ackerman.	Metcalf.
Adkins.	Minor.
Albritton.	Montgomery.
Baldwin.	Moore.
Barnett.	Mosely.
Bateman.	Mullally.
Beck.	Murphy.
Bond.	Negley.
Brice.	Olsen.
Carpenter.	O'Neill.
Chastain.	Palmer.
Coltrin.	Patterson.
Conway.	Pavlica.
Cox of Lamar.	Pool.
Davis.	Pope of Jones.
DeWolfe.	Pope of Nueces.
Duvall.	Prendergast.
Enderby.	Purl.
Ewing.	Quinn.
Finn.	Reader.
Forbes.	Renfro.
Gilbert.	Richardson.
Hardy.	Rogers.
Harding.	Sanders.
Harman.	Savage.
Harper.	Shaver.
Heaton.	Simmons.
Hefley.	Sinks.
Hines.	Snelgrove.
Hogg.	Speck.
Hopkins.	Stephens.
Jenkins.	Stevenson.
Johnson	Storey.
of Dimmit.	Strong.
Johnson of Smith.	Tarwater.
Jones.	Thompson.
Justiss.	Thurmond.
Kennedy.	Tillotson.
King.	Van Zandt.
Kinnear.	Veatch.
Lee.	Wallace.
Long of Wichita.	Walters.
Mankin.	Warwick.
Martin.	Webb.
McCombs.	Williams
McDonald.	of Travis.
McGill.	Woodall.
McKean.	Young.

Nays—8.

Bounds.	Hornaday.
Brooks.	Loy.
Gerron.	Reid.
Graves	Waddell.
of Williamson.	

Absent.

Acker.	Kincaid.
Anderson.	Lemens.
Baker.	Long of Houston.
Bradley.	Mauritz.
Cox of Navarro.	Maynard.
Cox of Limestone.	Mehl.
Dunlap.	Morse.
Eickenroht.	Nicholson.
Finlay.	Petsch.
Fuchs.	Rountree.
Gates.	Shelton.
Giles.	Sherrill.
Graves of Erath.	Shipman.
Holder.	Smith.
Hubbard.	Turner.
Johnson of Scurry.	Westbrook.
Kayton.	Wiggs.
Keeton.	Williams
Keller.	of Sabine.
Kemble.	Woodruff.
Kenyon.	

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

The Speaker then laid Senate bill No. 605 before the House on its third reading and final passage.

The bill was read third time and was passed.

CONFERENCE COMMITTEE ON
HOUSE BILL NO. 567.

The Speaker announced the appointment of the following conference committee on House bill No. 567:

Messrs. Pope of Nueces, Petsch, Storey, Chastain and Loy.

SENATE BILL NO. 315 ON SECOND
READING.

On motion of Mr. Baldwin, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 315, A bill to be entitled "An Act fixing the compensation for the Assistant Attorney General at \$3000 annually, payable monthly; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 315 ON THIRD
READING.

Mr. Martin moved that the constitutional rule requiring bills to be read on

three several days be suspended and that Senate bill No. 315 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Ackerman.	McCombs.
Adkins.	McDonald.
Albritton.	McGill.
Baldwin.	McKean.
Barnett.	Metcalfe.
Bateman.	Minor.
Beck.	Montgomery.
Bounds.	Moore.
Carpenter.	Morse.
Chastain.	Mullally.
Conway.	Murphy.
Cox of Navarro.	Negley.
Cox of Lamar.	Olsen.
Cox of Limestone.	O'Neill.
Davis.	Palmer.
DeWolfe.	Pavlica.
Ewing.	Petsch.
Eickenroht.	Pool.
Finn.	Pope of Jones.
Forbes.	Purl.
Gerron.	Reader.
Gilbert.	Reid.
Giles.	Richardson.
Graves	Sanders.
of Williamson.	Savage.
Harding.	Shaver.
Harman.	Simmons.
Harper.	Sinks.
Hefley.	Smith.
Hines.	Speck.
Hogg.	Stevenson.
Holder.	Storey.
Hopkins.	Strong.
Hornaday.	Tarwater.
Jenkins.	Thompson.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Kayton.	Walters.
Kinnear.	Warwick.
Lee.	Webb.
Lemens.	Wiggs.
Long of Wichita.	Williams
Loy.	of Travis.
Mankin.	Woodall.
Martin.	Young.
Maynard.	

Nays—11.

Brice.	Mosely.
Enderby.	Renfro.
Finlay.	Snelgrove.
Heaton.	Stephens.
Kennedy.	Veatch.
King.	

Absent.

Acker.	Kincaid.
Anderson.	Long of Houston.
Baker.	Mauritz.
Bond.	Mehl.
Bradley.	Nicholson.
Brooks.	Patterson.
Coltrin.	Pope of Nueces.
Dunlap.	Prendergast.
Duvall.	Quinn.
Fuchs.	Rogers.
Gates.	Rountree.
Graves of Erath.	Shelton.
Hardy.	Sherrill.
Hubbard.	Shipman.
Johnson	Waddell.
of Dimmit.	Westbrook.
Keeton.	Williams
Keller.	of Sabine.
Kemble.	Woodruff.
Kenyon.	

Absent—Excused.

Mr. Speaker.	Wallace.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.
Ray.	

The Speaker then laid Senate bill No. 315 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—87.

Ackerman.	Hogg.
Adkins.	Holder.
Albritton.	Hopkins.
Baldwin.	Hornaday.
Barnett.	Johnson of Smith.
Beck.	Johnson of Scurry.
Bounds.	Jones.
Carpenter.	Justiss.
Coltrin.	Kayton.
Conway.	Kinnear.
Cox of Navarro.	Lemens.
Cox of Lamar.	Long of Wichita.
Cox of Limestone.	Loy.
DeWolfe.	Mankin.
Duvall.	Martin.
Ewing.	Mauritz.
Eickenroht.	Maynard.
Finn.	McCombs.
Forbes.	McDonald.
Gerron.	McGill.
Gilbert.	McKean.
Giles.	Metcalfe.
Graves	Montgomery.
of Williamson.	Moore.
Hardy.	Morse.
Harding.	Mullally.
Harman.	Murphy.
Harper.	Negley.
Hefley.	Olsen.

O'Neill.	Stevenson.
Palmer.	Storey.
Pavlica.	Strong.
Petsch.	Thompson.
Pool.	Thurmond.
Pope of Jones.	Tillotson.
Purl.	Turner.
Quinn.	Van Zandt.
Reader.	Waddell.
Reid.	Walters.
Sanders.	Warwick.
Savage.	Webb.
Shaver.	Williams
Sinks.	of Travis.
Smith.	Woodall.
Speck.	Young.

Nays—21.

Bateman.	Kennedy.
Bond.	Lee.
Brice.	Mosely.
Brooks.	Prendergast.
Chastain.	Richardson.
Davis.	Rogers.
Enderby.	Simmons.
Finlay.	Snelgrove.
Heaton.	Stephens.
Hines.	Veatch.
Jenkins.	

Present—Not Voting.

Wiggs.

Absent.

Acker.	King.
Anderson.	Long of Houston.
Baker.	Mehl.
Bradley.	Nicholson.
Dunlap.	Patterson.
Fuchs.	Pope of Nueces.
Gates.	Renfro.
Graves of Erath.	Rountree.
Hubbard.	Shelton.
Johnson	Sherrill.
of Dimmit.	Shipman.
Keeton.	Tarwater.
Keller.	Westbrook.
Kemble.	Williams
Kenyon.	of Sabine.
Kincaid.	Woodruff.

Absent—Excused.

Mr. Speaker.	Wallace.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.
Ray.	

LEAVE OF ABSENCE GRANTED.

Mr. Harrison was granted leave of absence for yesterday and today on account of important business, on motion of Mr. Pool.

SENATE BILL NO. 613 ON SECOND
READING.

Mr. Webb moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 513 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Ackerman.	Mauritz.
Adkins.	Maynard.
Albritton.	McDonald.
Barnett.	McGill.
Bateman.	McKean.
Beck.	Metcalfe.
Bounds.	Minor.
Bradley.	Montgomery.
Brice.	Moore.
Brooks.	Mullally.
Carpenter.	Murphy.
Chastain.	Negley.
Coltrin.	Olsen.
Conway.	Palmer.
Cox of Navarro.	Pavlica.
Cox of Lamar.	Petsch.
Cox of Limestone.	Pool.
DeWolfe.	Pope of Jones.
Duvall.	Prendergast.
Ewing.	Purl.
Eickenroht.	Quinn.
Finlay.	Reader.
Forbes.	Reid.
Gerron.	Renfro.
Gilbert.	Richardson.
Giles.	Rogers.
Graves	Rountree.
of Williamson.	Sanders.
Hardy.	Savage.
Harman.	Shaver.
Harper.	Simmons.
Hefley.	Sinks.
Hines.	Smith.
Hogg.	Snelgrove.
Holder.	Stephens.
Hopkins.	Stevenson.
Hornaday.	Storey.
Hubbard.	Strong.
Jenkins.	Tarwater.
Johnson	Thompson.
of Dimmit.	Van Zandt.
Johnson of Smith.	Veatch.
Johnson of Scurry.	Waddell.
Jones.	Wallace.
Justiss.	Walters.
Kayton.	Warwick.
Keeton.	Webb.
Keller.	Wiggs.
Kennedy.	Williams
Kinnear.	of Travis.
Lemens.	Woodall.
Loy.	Young.

Absent.

Acker.	Mankin.
Anderson.	Martin.
Baker.	McCombs.
Baldwin.	Mehl.
Bond.	Morse.
Davis.	Mosely.
Dunlap.	Nicholson.
Enderby.	O'Neill.
Finn.	Patterson.
Fuchs.	Pope of Nueces.
Gates.	Shelton.
Graves of Erath.	Sherrill.
Harding.	Shipman.
Heaton.	Speck.
Kemble.	Thurmond.
Kenyon.	Tillotson.
Kincaid.	Turner.
King.	Westbrook.
Lee.	Williams
Long of Houston.	of Sabine.
Long of Wichita.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 613, A bill to be entitled "An Act amending an act approved on February 11, 1929, creating the 109th Judicial District, same being Senate bill No. 9."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 613 ON THIRD
READING.

The Speaker then laid Senate bill No. 613 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105.

Adkins.	Cox of Limestone.
Albritton.	Davis.
Barnett.	DeWolfe.
Bateman.	Duvall.
Beck.	Ewing.
Bounds.	Eickenroht.
Bradley.	Finlay.
Brice.	Forbes.
Brooks.	Gerron.
Carpenter.	Gilbert.
Chastain.	Giles.
Coltrin.	Graves
Conway.	of Williamson.
Cox of Navarro.	Hardy.
Cox of Lamar.	Harman.

Harper.	Pavlica.
Hefley.	Petsch.
Hines.	Pool.
Hogg.	Pope of Jones.
Holder.	Prendergast.
Hopkins.	Purl.
Hornaday.	Reader.
Hubbard.	Reid.
Jenkins.	Renfro.
Johnson	Richardson.
of Dimmit.	Rogers.
Johnson of Smith.	Rountree.
Johnson of Scurry.	Sanders.
Jones.	Savage.
Justiss.	Shaver.
Keeton.	Simmons.
Keller.	Sinks.
Kennedy.	Smith.
King.	Snelgrove.
Kinnear.	Speck.
Lemens.	Stephens.
Loy.	Stevenson.
Mauritz.	Storey.
Maynard.	Strong.
McCombs.	Tarwater.
McDonald.	Thompson.
McGill.	Turner.
McKean.	Van Zandt.
Metcalfe.	Veatch.
Minor.	Waddell.
Montgomery.	Wallace.
Moore.	Walters.
Morse.	Warwick.
Mullally.	Webb.
Murphy.	Wiggs.
Negley.	Williams
Olsen.	of Travis.
O'Neill.	Woodall.
Palmer.	Young.

Absent.

Acker.	Long of Houston.
Ackerman.	Long of Wichita.
Anderson.	Mankin.
Baker.	Martin.
Baldwin.	Mehl.
Bond.	Mosely.
Dunlap.	Nicholson.
Enderby.	Patterson.
Finn.	Pope of Nueces.
Fuchs.	Quinn.
Gates.	Shelton.
Graves of Erath.	Sherrill.
Harding.	Shipman.
Heaton.	Thurmond.
Kayton.	Tillotson.
Kemble.	Westbrook.
Kenyon.	Williams
Kincaid.	of Sabine.
Lee.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

SENATE BILL NO. 86 ON SECOND READING.

On motion of Mr. King, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 86, A bill to be entitled "An Act to establish and maintain a dairy, poultry, pecan, crops and other native products experiment station on the Miles Roscoe and Abilene soil type in Taylor, Jones, Callahan or Shackelford counties, Texas, within a radius of twenty-five miles of Abilene, Taylor county, Texas; authorizing the board of directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board to establish and maintain same; to accept donations of lands, water, live stock, seeds, plants and money for the establishment of the said station and for the operation of same, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Speck offered the following (committee) amendment to the bill:

Amend Senate bill No. 86 by striking out the words "seventy-five thousand dollars (\$75,000)" wherever they appear in the caption or in the bill and inserting the words "fifty thousand dollars (\$50,000)."

The amendment was lost.

Mr. Speck offered the following amendment to the bill:

Amend Senate bill No. 86, in Section 2, line 13, by striking out the word "lands."

The amendment was adopted.

Mr. Gilbert offered the following amendment to the bill:

Amend Senate bill No. 86 by striking out the words "twenty-five," in line 37, Section 1, and inserting in lieu thereof the word "fifty."

The amendment was adopted.

Mr. Baldwin offered the following amendment to the bill:

Amend Senate bill No. 86 by omitting the word "dairy" wherever it occurs in the bill.

On motion of Mr. Gilbert, the amendment was tabled.

Mr. Speck offered the following amendment to the bill:

Amend Senate bill No. 86 by striking out lines 14, 15, 16, 17 and 18, on page 2.

The amendment was adopted.

Mr. Speck offered the following amendment to the bill:

Amend Senate bill No. 86 by striking out all of Section 4.

The amendment was adopted.

Mr. Hardy offered the following amendment to the bill:

Amend Senate bill No. 86 by striking out, in lines 36 and 37, the following: "In Taylor, Jones, Callahan or Shackelford county, Texas," and elsewhere wherever it appears in the bill.

The amendment was adopted.

Mr. Speck offered the following amendments to the bill:

(1)

Amend caption of Senate bill No. 86 to conform to body of bill as amended.

(2)

Amend Senate bill No. 86 by changing the figure "5" in line 33, page 2, to "4." The amendments were severally adopted.

Senate bill No. 86 was then passed to third reading.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum pending consideration of Senate bill No. 86, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

SENATE BILL NO. 86 ON THIRD READING.

Mr. Speck moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 86 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—91.

Ackerman.	Cox of Limestone.
Adkins.	Duvall.
Baldwin.	Ewing.
Barnett.	Finn.
Bateman.	Finlay.
Beck.	Gerron.
Bond.	Gilbert.
Bounds.	Giles.
Bradley.	Graves
Brooks.	of Williamson.
Carpenter.	Hardy.
Chastain.	Harman.
Coltrin.	Harper.
Conway.	Hefley.
Cox of Navarro.	Hogg.
Cox of Lamar.	Holder.

Hopkins.	Olsen.
Hornaday.	O'Neill.
Hubbard.	Palmer.
Johnson	Pavlica.
of Dimmit.	Petsch.
Johnson of Smith.	Pool.
Johnson of Scurry.	Pope of Jones.
Jones.	Pope of Nueces.
Justiss.	Purl.
Kayton.	Quinn.
Keeton.	Reader.
Keller.	Rountree.
King.	Sanders.
Kinnear.	Shaver.
Lemens.	Simmons.
Loy.	Smith.
Mankin.	Speck.
Martin.	Stevenson.
Mauritz.	Storey.
Maynard.	Strong.
McCombs.	Tarwater.
McDonald.	Thompson.
McGill.	Thurmond.
McKean.	Turner.
Metcalf.	Van Zandt.
Minor.	Wallace.
Montgomery.	Walters.
Morse.	Warwick.
Mosely.	Wiggs.
Mullally.	Young.
Murphy.	

Nays—12.

Brice.	Reid.
Davis.	Richardson.
Enderby.	Rogers.
Forbes.	Sinks.
Long of Wichita.	Snelgrove.
Prendergast.	Stephens.

Present—Not Voting.

DeWolfe.	Moore.
Jenkins.	

Absent.

Acker.	Negley.
Albritton.	Nicholson.
Anderson.	Patterson.
Baker.	Renfro.
Dunlap.	Savage.
Eickenroht.	Shelton.
Fuchs.	Sherrill.
Gates.	Shipman.
Graves of Erath.	Tillotson.
Harding.	Veatch.
Heaton.	Waddell.
Hines.	Webb.
Kemble.	Westbrook.
Kennedy.	Williams
Kenyon.	of Sabine.
Kincaid.	Williams
Lee.	of Travis.
Long of Houston.	Woodall.
Mehl.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

The Speaker then laid Senate bill No. 86 before the House on its third reading and final passage.

The bill was read third time and was passed.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 313.

Mr. Sanders called up, for consideration at this time, the following conference committee report on House bill No 313:

Committee Room,
Austin, Texas, March 8, 1929.

Hon. Barry Miller, President of the Senate, and Hon. Fred H. Minor, Speaker Pro Tem., House of Representatives.

Sirs: We your conference committee on House bill No. 313, have had the same under consideration and have adjusted the differences between the House and the Senate, and recommend the passage of the following substitute bill:

H. B. No. 313. A bill to be entitled "An Act declaring the wild beaver, wild otter, wild mink, wild ringtail cat, wild badger, wild polecat or skunk, wild raccoon, wild fox and wild civet cat to be fur-bearing animals; making it unlawful to take or have in possession any pelt of any fur-bearing animal at any time other than from November 30th to February 1st; providing, however, pelts taken during the open season therefor may be possessed an additional ten days after January 1st; providing that it shall be unlawful for any person at any time to take or kill by trap, snare, deadfall or any mechanical device any fur-bearing animal in any of the counties in which this act applies; providing, this act shall not prevent an owner nor any of his family killing any of the wild animals within one hundred feet of his residence or outhouse thereabout by any means whatever while said fur-bearing animals are depredating upon his property, but prohibiting buying or selling said animals or pelts when taken for said reason at any time other than from November 30th to February 1st; providing, this act shall not apply to wolf trappers employed by the United

States government, the State of Texas or the commissioners court of the counties included in this act from trapping wolves by setting their traps other and elsewhere than in trails, paths, roads and on logs or within ten feet thereof, nor to the taking of said animals within the bounds of State game preserves located in any of the counties to which this act applies when taken under the Game, Fish and Oyster Commissioner's direction and for use of said department; providing, this act shall apply only in the following counties, viz.: Cherokee, Lee, Callahan, Eastland, Caldwell, Angelina, Hardin, Harris, Nacogdoches, Panola, Polk, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Williamson, Bexar, Liberty, Fort Bend, Brazoria, Matagorda, Anderson, Sabine, Llano, Lamar, Madison, Johnson, McLennan, Rusk, Tarrant and Young; providing, said animals may be possessed in said counties for propagation and fur-farming purposes under permit from the Game, Fish and Oyster Commissioner; providing a penalty; repealing all laws in conflict therewith, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas.

Section 1. For the purpose of this act, wild beaver, wild otter, wild mink, wild ringtail cat, wild badger, wild polecat or skunk, wild raccoon, wild fox and wild civet cat are hereby declared to be fur-bearing animals.

Sec. 2. It shall be unlawful to take or have in possession any of the fur-bearing animals mentioned in Section 1 of this act, or the pelts thereof, other than from November 30th to February 1st of each year; provided, however, that any pelts taken during the open season provided herein may be possessed for the purpose of sale for an additional ten days next after the open season each year; provided, however, that nothing in this act shall permit the sale or taking for the purpose of barter or sale pelts of wild fox in any of the counties in which this act applies.

Sec. 3. It shall be unlawful at any time for any person to take or kill by trap, snare, deadfall or any mechanical device any of the fur-bearing animals named in Section 1 of this act in any of the counties to which this act applies; provided, however, it shall be lawful for any owner or any member of his family to kill by any means and at any time within a distance of one

hundred feet of his residence and the outhouses thereabout any of the said fur-bearing animals while depredating upon the property of said owner, but neither the animals nor the pelts thereof so killed shall be bought, sold or possessed at any time other than from November 30th to February 1st; and provided further, this section shall not apply to a trapper employed by the United States government, the State of Texas or the commissioners court of any county to which this act applies, bona fide trapping for wolves and setting his traps therefor other and elsewhere than in trails, paths, roads, on logs and no closer thereto than ten feet; nor to the taking of said fur-bearing animals, under the direction of the Game, Fish and Oyster Commissioner, within the bounds of any State game preserve now located or which may be located within the counties to which the provisions of this act applies when such taking is done for the use of the Game, Fish and Oyster Department of Texas.

Sec. 4. It shall be unlawful for any person at any time or in any manner to have in his possession any wild beaver, wild otter, wild fox, or the pelt or pelts thereof, excepting as permitted under this act.

Sec. 5. That for the purpose of this act the foregoing provisions shall apply only in the following counties: Cherokee, Lee, Callahan, Eastland, Caldwell, Panola, Angelina, Hardin, Harris, Nacogdoches, Polk, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Williamson, Bexar, Liberty, Fort Bend, Brazoria, Matagorda, Anderson, Sabine, Llano, Lamar, Madison, Johnson, McLennan, Rusk, Tarrant and Young.

Sec. 6. Any person violating any provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$10 and not more than \$200. Possession of any pelt of any fur-bearing animal protected under this act at any time other than the open season provided for the taking of such animals and the pelts thereof, or the setting of any trap, snare or deadfall in any of the counties mentioned in this act shall be prima facie evidence of guilt of each pelt taken and the setting of each trap, snare or deadfall shall constitute a separate offense.

Sec. 7. That nothing in this act shall make it unlawful for any person to acquire between the last day of November

and the first day of February of each year, and so possess thereafter for propagation and fur purposes, any of the animals named in Section 1 of this act upon his obtaining a permit from the Game, Fish and Oyster Commissioner authorizing such person so to do, which said permit shall be valid until the 10th day of the following February of each year and subject to renewal under the terms of this section, and the Game, Fish and Oyster Commissioner is hereby authorized to issue such permit to such person qualified to possess the same under the terms of this section; provided, such permit, after being issued, shall be forfeited upon the person in whose name same has been issued being convicted for violating any of the game laws of this State or taking any of the game or fur-bearing animals of this State, and such person shall thereafter be denied a permit for said purposes for a period of two years next from and after date of such conviction; provided further, it shall be unlawful for such person, having been convicted of violating any of the laws protecting the game or fur-bearing animals of this State, to accept such permit provided for in this section from the Game, Fish and Oyster Commissioner of this State within the period of two years next from and after his being so convicted, and said permit shall be held by the owner to whom it is issued at all reasonable time subject to inspection by the Game, Fish and Oyster Commissioner and his deputies.

Sec. 8. If any section, provision or part of this act shall be held invalid for any reason, it is the legislative intent that the remainder of this act shall remain in full force and effect, and all laws or portions of laws in conflict herewith are hereby repealed.

Sec. 9. The importance of this act, and the fact that the fur-bearing animals named in this act are rapidly being exterminated in the counties named in this act and are practically exterminated in several of the counties, and there are no adequate laws for the protection of the fur-bearing animals in the counties named in this act, create an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring a bill to be read on three several days in each house, and this act shall take effect and be in force from and after its passage,

and said rule is hereby suspended, and it is so enacted.

SANDERS,
MURPHY,
McKEAN,
HINES,
BRICE,

On the part of the House.

WOODUL,
STEVENSON,
BECK,
HORNSBY,

On the part of the Senate.

On motion of Mr. Sanders, the report was adopted by the following vote:

Yeas—107.

Ackerman.	Jones.
Adkins.	Justiss.
Albritton.	Kayton.
Baldwin.	Keeton.
Barnett.	Kennedy.
Bateman.	King.
Beck.	Kinnear.
Bounds.	Lee.
Bradley.	Lemens.
Brice.	Long of Wichita.
Brooks.	Mankin.
Carpenter.	Maynard.
Chastain.	McDonald.
Coltrin.	McGill.
Conway.	McKean.
Cox of Navarro.	Metcalfe.
Cox of Lamar.	Minor.
Cox of Limestone.	Montgomery.
Davis.	Moore.
DeWolfe.	Morse.
Duvall.	Mosely.
Enderby.	Mullally.
Ewing.	Murphy.
Eickenroht.	Negley.
Finn.	Olsen.
Finlay.	O'Neill.
Forbes.	Palmer.
Gerron.	Pavlica.
Gilbert.	Petsch.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Hardy.	Prendergast.
Harper.	Purl.
Hefley.	Quinn.
Hogg.	Reader.
Holder.	Reid.
Hopkins.	Renfro.
Hornaday.	Richardson.
Hubbard.	Rogers.
Jenkins.	Rountree.
Johnson	Sanders.
of Dimmit.	Simmons.
Johnson of Smith.	Sinks.
Johnson of Scurry.	Smith.
Snelgrove.	Stevenson.
Speck.	Storey.
Stephens.	Strong.

Tarwater.
Thompson.
Thurmond.
Tillotson.
Turner.
Van Zandt.
Veatch.
Waddell.

Walters.
Warwick.
Webb.
Wiggs.
Williams
of Travis.
Young.

Absent.

Acker.	Loy.
Anderson.	Martin.
Baker.	Mauritz.
Bond.	McCombs.
Dunlap.	Mehl.
Fuchs.	Nicholson.
Gates.	Patterson.
Graves of Erath.	Savage.
Harding.	Shaver.
Harman.	Shelton.
Heaton.	Sherrill.
Hines.	Shipman.
Keller.	Westbrook.
Kemble.	Williams
Kenyon.	of Sabine.
Kincaid.	Woodall.
Long of Houston.	Woodruff.

Absent—Excused.

Mr. Speaker.	Wallace.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.
Ray.	

SENATE BILL NO. 113 ON SECOND READING.

On motion of Mr. Montgomery, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 113, A bill to be entitled "An Act to amend Articles 2669, 2670, 2671, 2672 and 2673 of Chapter 10, Title 49. of the Revised Civil Statutes of the State of Texas of 1925, relating to the investment of the permanent school fund by the State Board of Education by providing for the purchase by said board of bonds of the United States, the State of Texas, the bonds of counties of the State of Texas, the bonds of the independent school districts of Texas, and of the common school districts of said State, and the bonds of any incorporated city or town, and the bonds of road precincts of any county of the State of Texas, and the bonds of any drainage, irrigation, navigation and levee districts of any county or counties of Texas, and the obligations and pledges of the University of Texas."

The Speaker laid the bill before the House and it was read second time.

Mr. DeWolfe offered the following amendment to the bill:

Amend Senate bill No. 113 by striking out, wherever it appears in said bill, the following, "obligations and pledges of the University of Texas" and the words "obligations and pledges" wherever they appear in said bill.

Signed—DeWolfe, Van Zandt.

Mr. Montgomery raised a point of order on further consideration of the amendment on the ground that the amendment destroys the purpose of the bill.

The Speaker sustained the point of order.

Mr. Baldwin moved the previous question on the passage of the bill to third reading, and the main question was ordered.

Senate bill No. 113 was then passed to third reading by the following vote:

Yeas—79.

Adkins.	Long of Wichita.
Baldwin.	Martin.
Barnett.	Maynard.
Bateman.	McCombs.
Beck.	McDonald.
Bradley.	McGill.
Carpenter.	McKean.
Conway.	Metcalfe.
Cox of Navarro.	Minor.
Cox of Limestone.	Montgomery.
Davis.	Morse.
Duvall.	Mullally.
Ewing.	Murphy.
Eickenroht.	Negley.
Finn.	Olsen.
Finlay.	O'Neill.
Forbes.	Palmer.
Gilbert.	Pavlica.
Giles.	Petsch.
Graves	Pool.
of Williamson.	Pope of Nueces.
Hardy.	Quinn.
Harper.	Reader.
Hefley.	Reid.
Hogg.	Richardson.
Hopkins.	Sanders.
Hornaday.	Savage.
Hubbard.	Shaver.
Johnson	Simmons.
of Dimmit.	Sinks.
Johnson of Scurry.	Smith.
Jones.	Snelgrove.
Justiss.	Speck.
Kapton.	Storey.
King.	Strong.
Kinnear.	Thompson.
Lee.	Thurmond.
Leasure.	Turner.

Waddell.
Walters.
Warwick.

Williams
of Travis.
Young.

Nays—27.

Ackerman.
Albritton.
Bounds.
Brice.
Chastain.
Coltrin.
Cox of Lamar.
DeWolfe.
Enderby.
Harman.
Jenkins.
Johnson of Smith.
Kennedy.
Loy.

Moore.
Mosely.
Prendergast.
Renfro.
Rountree.
Stephens.
Stevenson.
Tarwater.
Tillotson.
Van Zandt.
Veatch.
Wiggs.
Woodall.

Present—Not Voting.

Webb.

Absent.

Acker.
Anderson.
Baker.
Bond.
Brooks.
Dunlap.
Fuchs.
Gates.
Gerron.
Graves of Erath.
Harding.
Heaton.
Hines.
Holder.
Keeton.
Keller.
Kemble.
Kenyon.

Kincaid.
Long of Houston.
Mankin.
Mauritz.
Mehl.
Nicholson.
Patterson.
Pope of Jones.
Purl.
Rogers.
Shelton.
Sherrill.
Shipman.
Westbrook.
Williams
of Sabine.
Woodruff.

Absent—Excused.

Mr. Speaker.
Avis.
Harrison.
Land.
Ray.

Wallace.
White.
Williams
of Hardin.

SENATE BILL NO. 113 ON THIRD READING.

Mr. Montgomery moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 113 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—85.

Adkins.
Baldwin.
Barnett.
Bateman.
Beck.

Bradley.
Carpenter.
Chastain.
Conway.
Cox of Navarro.

Cox of Limestone.	Minor.
Davis.	Montgomery.
Duvall.	Morse.
Ewing.	Mosely.
Eickenroht.	Mullally.
Finn.	Negley.
Forbes.	O'Neill.
Gilbert.	Palmer.
Giles.	Pavlica.
Graves	Petsch.
of Williamson.	Pool.
Hardy.	Pope of Jones.
Harper.	Pope of Nueces.
Hefley.	Quinn.
Hogg.	Reader.
Holder.	Reid.
Hopkins.	Richardson.
Hornaday.	Rogers.
Hubbard.	Sanders.
Johnson	Shaver.
of Dimmit.	Simmons.
Johnson of Scurry.	Sinks.
Jones.	Smith.
Justiss.	Snelgrove.
Kayton.	Speck.
King.	Stevenson
Kinnear.	Storey.
Lee.	Strong.
Lemens.	Tarwater.
Long of Wichita.	Thompson.
Loy.	Thurmond.
Martin.	Turner.
Mauritz.	Waddell.
Maynard.	Walters.
McCombs.	Warwick.
McDonald.	Webb.
McGill.	Williams
McKean.	of Travis.
Metcalfe.	Young.

Nays—20.

Ackerman.	Kennedy.
Albritton.	Olsen.
Bounds.	Prendergast.
Coltrin.	Renfro.
Cox of Lamar.	Rountree.
DeWolfe.	Tillotson.
Enderby.	Van Zandt.
Finlay.	Veatch.
Harman.	Wiggs.
Johnson of Smith.	Woodall.

Present—Not Voting.

Brice.	Stephens.
Moore.	

Absent.

Acker.	Gerron.
Anderson.	Graves of Erath.
Baker.	Harding.
Bond.	Heaton.
Brooks.	Hines.
Dunlap.	Jenkins.
Fuchs.	Keeton.
Gates.	Keller.

Kemble.	Purl.
Kenyon.	Savage.
Kincaid.	Shelton.
Long of Houston.	Sherrill.
Mankin.	Shipman.
Mehl.	Westbrook.
Murphy.	Williams
Nicholson.	of Sabine.
Patterson.	Woodruff.

Absent—Excused.

Mr. Speaker.	Wallace.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.
Ray.	

The Speaker then laid Senate bill No. 113 before the House on its third reading and final passage.

The bill was read third time and was passed.

Mr. McCombs moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

Reason for Vote.

I vote "nay" on Senate bill No. 113 because I believe pledges and obligations of the University of Texas do not have any constitutional right to exist because of Section 47 of Article 3.

DeWOLFE.

HOUSE BILL NO. 232 WITH SENATE AMENDMENTS.

Mr. Young called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 232, A bill to be entitled "An Act placing a closed season on wild prairie chickens in certain counties; providing a penalty for the violation of same, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Young, the House concurred in the Senate amendments.

SENATE BILL NO. 292 ON SECOND READING.

On motion of Mr. Reader, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 292, A bill to be entitled "An Act amending Section 1 of Chapter 87 of the General Laws of the Regular Session of the Thirty-ninth Legislature, so as to create the Twelfth Supreme Judicial District of Texas and creating

a new Court of Civil Appeals, said district to be composed of the counties of Hunt, Fannin, Delta, Hopkins, Rains, Kaufman, Wood, Van Zandt and Rockwall; providing for the appointment and qualifications of the judges of the said Court of Civil Appeals; providing for the transfer of cases to the new Court of Civil Appeals herein created, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Conway offered the following amendments to the bill:

(1)

Amend Senate bill No. 292 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Article 198 of the Revised Civil Statutes of 1925, as amended by Chapter 255 of the General and Special Laws of the Regular Session of the Fortieth Legislature, is here amended so as to read as follows:

"Article 198. This State shall be divided into twelve supreme judicial districts, composed of the following named counties, for the purpose of constituting and organizing a court of civil appeals in each of the several supreme judicial districts, as follows, to-wit:

First: Trinity, Walker, Grimes, Burleson, Washington, Waller, Harris, Chambers, Austin, Colorado, Lavaca, DeWitt, Jackson, Matagorda, Wharton, Brazoria, Fort Bend, Galveston, Anderson, Houston.

Second: Wichita, Clay, Montague, Wise, Tarrant, Cooke, Denton, Parker, Archer, Young, Jack, Hood.

Third: Milam, Lee, Bastrop, Caldwell, Hays, Travis, Williamson, Bell, Burnet, Blanco, Llano, San Saba, Lampasas, Mills, McCulloch, Brown, Coleman, Runnels, Tom Green, Concho, Comal, Fayette, Coke, Sterling, Irion, Schleicher.

Fourth: Val Verde, Guadalupe, Sutton, Edwards, Kinney, Maverick, Menard, Kimble, Kerr, Bandera, Uvalde, Zavala, Dimmit, Webb, LaSalle, Frio, Medina, Duval, McMullen, Atascosa, Bexar, Kendall, Wilson, Live Oak, Zapata, Bee, Karnes, Victoria, Goliad, Hidalgo, Cameron, Starr, Jim Hogg, Real, Brooks, Jim Wells, Kleberg, Kennedy, Willacy, Gillespie, Mason, Gonzales, Calhoun, Refugio, San Patricio, Aransas, Nueces.

Fifth: Grayson, Collin, Dallas, Henderson, Ellis.

Sixth: Lamar, Red River, Bowie, Franklin, Titus, Morris, Cass, Upshur,

Marion, Harrison, Gregg, Cherokee, Rusk, Panola, Camp, Wood, Smith.

Seventh: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress, Lamb, Bailey, Hale, Floyd, Motley, Cottle, Foard, Hardeman, Wilbarger, Crosby, Lubbock, Hockley, Cochran, Yoakum, Terry, Lynn, Garza, Dickens, Kent, King.

Eighth: Crockett, Gaines, Andrews, Martin, Loving, Winkler, Midland, Glasscock, Reeves, Ward, Crane, Upton, Reagan, Terrell, Pecos, Brewster, Presidio, Jeff Davis, El Paso, Ector, Culberson, Hudspeth.

Ninth: Shelby, Nacogdoches, Angelina, San Jacinto, Montgomery, Liberty, Jefferson, Orange, Hardin, Newton, Jasper, Tyler, Polk, Sabine, San Augustine.

Tenth: McLennan, Freestone, Coryell, Hamilton, Bosque, Navarro, Johnson, Somervell, Falls, Limestone, Hill, Brazos, Leon, Madison, Robertson.

Eleventh: Mitchell, Scurry, Nolan, Fisher, Stonewall, Taylor, Jones, Haskell, Knox, Callahan, Shackelford, Baylor, Throckmorton, Comanche, Eastland, Stephens, Erath, Palo Pinto, Dawson, Borden, Howard.

Twelfth: Hunt, Fannin, Delta, Hopkins, Rains, Kaufman, Van Zandt, Rockwall, Dallas.

Sec. 2. Within thirty days after the passage of this act the Governor shall appoint one chief justice and two associate justices for the Twelfth Supreme Judicial District, who shall reside in the territorial limits of said district, who shall possess the qualifications now required by law, who shall constitute a Court of Civil Appeals within and for the Twelfth Supreme Judicial District and who shall hold their offices until the next general election in 1930, and who shall thereafter be elected and qualified as provided and required by the laws of this State in reference to Courts of Civil Appeals.

Sec. 3. The Court of Civil Appeals for the Twelfth Supreme Judicial District shall hold its sessions in the city of Greenville, in the county of Hunt, and its terms shall be governed by the law governing and relating to terms of other Courts of Civil Appeals in this State; provided, however, that said court may commence its first session immediately upon appointment and.

qualification of the judges thereof and the organizing of the court.

Sec. 4. Immediately upon the appointment of the judges herein provided, it shall be the duty of the clerk of the Court of Civil Appeals now in possession of the papers in any case appealed from any county included in the Twelfth Supreme Judicial District as herein created, except Dallas county, to immediately transfer such case to the new court at Greenville, Hunt county, Texas.

Sec. 5. All cases and proceedings originating in Dallas county appealed or otherwise taken to the Court of Civil Appeals during the months of January, February, March, April, May and June of each year shall be filed in the Court of Civil Appeals for the Fifth Supreme Judicial District, and those appealed or otherwise taken to the Court of Civil Appeals during the remaining months of each year shall be filed in the Court of Civil Appeals for the Twelfth Supreme Judicial District. Provided, that all proceedings which are ancillary to any case or proceeding in either of said Courts of Civil Appeals shall be filed in the court where the main case or proceeding is pending. In cases or proceedings in any court in Dallas county where an appeal or writ of error is allowed by law the appellant or plaintiff in error in giving notice of appeal or filing application for writ of error during the months of January, February, March, April, May and June of each year, shall give notice of appeal or file such application for writ of error to the Court of Civil Appeals for the Fifth Supreme Judicial District, and in giving such notice or filing such applications for writ of error during such notice or filing such applications for writ of error during the remaining months of each year to the Court of Civil Appeals for the Twelfth Supreme Judicial District. If no court is named in such notice of appeal or other proceeding and in cases or proceedings wherein the court is erroneously named, then it shall be conclusively deemed to include the court which should have been named as hereinbefore provided, and such cases or other proceedings shall be filed in the court to which notice of appeal or application for writ of error should be given or filed as provided by this act. Provided, that should any such case or proceeding be filed in the wrong Court of Civil Appeals, the court in which they are so filed shall, acting alone without the concurrence or

approval of the other court, have the jurisdiction and power to transfer same to the Court of Civil Appeals in which same should have been originally filed, and upon being so transferred the latter court shall acquire jurisdiction thereof the same as if originally filed in said court at the time they were filed in such other court.

Sec. 6. Provided, that the commissioners court of Hunt county shall furnish, provide and equip suitable room or rooms and a library for said court and the members thereof, without cost to the State.

Sec. 7. The fact that the courts of the State are crowded, that within the past six months 167 more cases have been appealed to the Courts of Civil Appeals than were appealed in the previous six months, that the Fifth Court of Civil Appeals transferred 152 cases to other Courts of Civil Appeals in the past twelve months, that litigants are placed at great expense in having their cases postponed from time to time, and that there is great need for an additional Court of Civil Appeals to relieve the crowded and congested condition of the existing court, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and that this act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted.

(2)

Amend Senate bill No. 292 by striking out the caption and inserting in lieu thereof the following:

"A bill to be entitled 'An Act amending Article 198, Title 8, of the Revised Civil Statutes of 1925, as amended by Chapter 255 of the General and Special Laws of the Regular Session, Fortieth Legislature, so as to create the Twelfth Supreme Judicial District of Texas, and creating a new Court of Civil Appeals, said district to be composed of the counties of Hunt, Fannin, Delta, Hopkins, Rains, Kaufman, Van Zandt, Rockwall, and Dallas; providing for the appointment and qualifications of the judges of said Court of Civil Appeals; providing for terms and transfer of cases to the new Court of Civil Appeals herein created; regulating appeals and other proceedings originating in Dallas county, which is placed in both the Fifth and Twelfth Supreme Judicial Districts; adjusting other districts in conformity with the creation of said Twelfth District; providing for quarters and library

for said court and its members; and declaring an emergency.'"

The amendments were severally adopted.

Senate bill No. 292 was then passed to third reading.

SENATE BILL NO. 292 ON THIRD READING.

Mr. Conway moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 292 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—77.

Adkins.	Metcalfe.
Barnett.	Minor.
Bateman.	Moore.
Beck.	Morse.
Bounds.	Mullally.
Bradley.	Negley.
Brice.	Olsen.
Brooks.	O'Neill.
Carpenter.	Palmer.
Chastain.	Pavlica.
Coltrin.	Pool.
Conway.	Pope of Nueces.
Cox of Navarro.	Prendergast.
Cox of Lamar.	Purl.
Cox of Limestone.	Quinn.
Duvall.	Reader.
Enderby.	Reid.
Finn.	Richardson.
Finlay.	Sanders.
Gilbert.	Savage.
Graves.	Shaver.
of Williamson.	Simmons.
Hardy.	Smith.
Harman.	Snelgrove.
Harper.	Speck.
Hogg.	Stephens.
Holder.	Stevenson.
Hubbard.	Storey.
Johnson of Smith.	Strong.
Johnson of Scurry.	Tarwater.
Justiss.	Thompson.
Keller.	Thurmond.
Kinnear.	Turner.
Lemens.	Van Zandt.
Martin.	Warwick.
Maynard.	Webb.
McCombs.	Wiggs.
McDonald.	Williams
McGill.	of Travis.
McKean.	Young.

Nays—23.

Ackerman.	DeWolfe.
Albritton.	Eickenroht.
Davis.	Forbes.

Heaton.	Petsch.
Hefley.	Renfro.
Hines.	Rogers.
Jenkins.	Sinks.
Kennedy.	Veatch.
King.	Waddell.
Long of Wichita.	Wallace.
Loy.	Walters.
Mauritz.	

Present—Not Voting.

Tillotson.	Woodall.
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Absent.

Acker.	Kenyon.
Anderson.	Kincaid.
Baker.	Lee.
Baldwin.	Long of Houston.
Bond.	Mankin.
Dunlap.	Mehl.
Ewing.	Montgomery.
Fuchs.	Mosely.
Gates.	Murphy.
Gerron.	Nicholson.
Giles.	Patterson.
Graves of Erath.	Pope of Jones.
Harding.	Rountree.
Hopkins.	Shelton.
Hornaday.	Sherrill.
Johnson	Shipman.
of Dimmit.	Westbrook.
Jones.	Williams
Kayton.	of Sabine.
Keeton.	Woodruff.
Kemble.	

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

Mr. Petsch moved to reconsider the vote by which the motion to suspend the constitutional rule was lost.

The motion to reconsider prevailed.

Mr. Holder moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 292 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—82.

Adkins.	Coltrin.
Barnett.	Conway.
Bateman.	Cox of Navarro.
Beck.	Cox of Lamar.
Bounds.	Cox of Limestone.
Bradley.	Duvall.
Brice.	Enderby.
Brooks.	Ewing.
Carpenter.	Finn.
Chastain.	Finlay.

Gilbert.	Pavlica.
Graves.	Pool.
of Williamson.	Pope of Jones.
Hardy.	Pope of Nueces.
Harman.	Prendergast.
Harper.	Purl.
Hogg.	Quinn.
Holder.	Reid.
Hubbard.	Richardson.
Johnson of Smith.	Rountree.
Johnson of Scurry.	Sanders.
Justiss.	Savage.
Kecton.	Shaver.
Keller.	Simmons.
Kinnear.	Smith.
Lemens.	Snelgrove.
Long of Wichita.	Speck.
Martin.	Stephens.
Mauritz.	Stevenson.
Maynard.	Storey.
McCombs.	Strong.
McDonald.	Tarwater.
McGill.	Thompson.
McKean.	Tillotson.
Metcalfe.	Turner.
Minor.	Van Zandt.
Moore.	Warwick.
Morse.	Webb.
Mullally.	Wiggs.
Olsen.	Williams
O'Neill.	of Travis.
Palmer.	Young.

Nays—19.

Albritton.	Loy.
Davis.	Negley.
DeWolfe.	Petsch.
Forbes.	Rogers.
Heaton.	Sinks.
Hefley.	Veatch.
Hines.	Waddell.
Jenkins.	Wallace.
Kennedy.	Walters.
King.	

Present—Not Voting.

Woodall.

Absent.

Acker.	Johnson
Ackerman.	of Dimmit.
Anderson.	Kayton.
Baker.	Kemble.
Baldwin.	Kenyon.
Bond.	Kincaid.
Dunlap.	Lee.
Eickenroht.	Long of Houston.
Fuchs.	Mankin.
Gates.	Mehl.
Gerron.	Montgomery.
Giles.	Mosely.
Graves of Erath.	Murphy.
Harding.	Nicholson.
Hopkins.	Patterson.
Hornaday.	Reader.
Jones.	Renfro.

Shelton.	Westbrook.
Sherrill.	Williams
Shipman.	of Sabine.
Thurmond.	Woodruff.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

Paired.

Mr. Woodfall (present), who would vote "nay," with Mr. Montgomery (absent), who would vote "yea."

The Speaker then laid Senate bill No. 292 before the House on its third reading and final passage.

The bill was read third time and was passed.

Mr. McCombs moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for the appointment of another free conference committee to consider further the differences between the House and Senate on House bill No. 567.

The following are appointed as conferees on the part of the Senate: Senators Holbrook, Witt, Hyer, McFarlane and Wirtz.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 596, "An Act increasing the compensation of certain county attorneys in counties having no district attorney."

H. B. No. 606, "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail to construct their

roads and branches, or any part thereof, within the time prescribed by law."

H. B. No. 678, "An Act to provide for the selection of special venire in cases in counties having a population of at least 16,775 and not more than 17,000, as shown by the preceding Federal census."

H. B. No. 692, "An Act providing a mode by which horses, mules, jacks, jennets, cattle, hogs, sheep and goats may be prevented from running at large in Limestone county."

H. B. No. 695, "An Act creating a more efficient road system for Titus county, Texas."

H. B. No. 730, "An Act making it unlawful to take or kill wild squirrels in Williamson county during certain months of the year, and providing that the remainder of the year shall be an open season for killing wild squirrels."

H. B. No. 723, "An Act authorizing the commissioners court of Polk county to employ a deputy in aid of the regularly elected sheriff of said county."

H. B. No. 711, "An Act to protect the rights of the public to fishing and hunting and for park purposes in the waters of Caddo Lake and lands adjacent thereto; withdrawing such lands from sale and preserving it for fish and game and for State park purposes as may be hereafter provided; providing that such land may be leased for mineral purposes in accordance with the law, but not otherwise sold."

S. B. No. 479, "An Act to amend Article 5053, Revised Statutes of 1925, relating to discrimination and other practices in connection with the sale of life insurance policies, so as to better regulate the sale of stocks, bonds and other securities in connection with life insurance policies, and declaring an emergency."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 12, 1929.
Hon. W. S. Barron Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reconsidered the vote by which the free conference committee report on House bill No. 313 was adopted, and adopted a corrective free conference committee report by a viva voce vote.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RELATING TO NIGHT SESSION.

On motion of Mr. Smith, the following record of members who would return for a night session was ordered printed in the Journal:

Adkins.	Loy.
Barnett.	Martin.
Bateman.	Mauritz.
Beck.	McCombs.
Bounds.	McGill.
Bradley.	McKean.
Brice.	Metcalfe.
Carpenter.	Moore.
Chastain.	Morse.
Coltrin.	Negley.
Conway.	Olsen.
Cox of Navarro.	Palmer.
Cox of Limestone.	Petsch.
Davis.	Pope of Jones.
Duvall.	Pope of Nueces.
Enderby.	Purl.
Ewing.	Quinn.
Finlay.	Richardson.
Forbes.	Sanders.
Gilbert.	Savage.
Giles.	Simmons.
Graves	Sinks.
of Williamson.	Smith.
Hardy.	Stevenson.
Harman.	Storey.
Harper.	Tarwater.
Heaton.	Tillotson.
Hefley.	Turner.
Holder.	Van Zandt.
Hubbard.	Waddell.
Johnson of Smith.	Warwick.
Justiss.	Webb.
Keeton.	Williams
Keller.	of Travis.
Kinnear.	Woodall.
Lee.	

Absent.

Acker.	Hornaday.
Ackerman.	Jenkins.
Albritton.	Johnson
Anderson.	of Dimmit.
Baker.	Johnson of Scurry.
Baldwin.	Jones.
Bond.	Kayton.
Brooks.	Kemble.
Cox of Lamar.	Kennedy.
DeWolfe.	Kenyon.
Dunlap.	Kincaid.
Eickenroht.	King.
Finn.	Lemens.
Fuchs.	Long of Houston.
Gates.	Long of Wichita.
Gerron.	Mankin.
Graves of Erath.	Maynard.
Harding.	McDonald.
Hines.	Mehl.
Hogg.	Montgomery.
Hopkins.	Mosely.

Mullally.	Shipman.
Murphy.	Snelgrove.
Nicholson.	Speck.
O'Neill.	Stephens.
Patterson.	Strong.
Pavlica.	Thompson.
Pool.	Thurmond.
Prendergast.	Veatch.
Reader.	Wallace.
Reid.	Walters.
Renfro.	Westbrook.
Rogers.	Wiggs.
Rountree.	Williams
Shaver.	of Sabine.
Shelton.	Woodruff.
Sherrill.	Young.

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

ADJOURNMENT.

Mr. Quinn moved that the House recess to 8 o'clock p. m. today.

Mr. Reid moved that the House recess to 9:30 o'clock a. m. tomorrow.

Mr. Finlay moved that the House adjourn until 8 o'clock p. m. today.

Mr. Wallace moved that the House adjourn until 9:30 o'clock p. m. Wednesday, March 13.

Question recurring on the motion by Mr. Wallace, yeas and nays were demanded, and the vote of the House recorded as follows:

Yeas—28.

Adkins.	Mauritz.
Beck.	Maynard.
Brice.	Negley.
Brooks.	Prendergast.
Davis.	Sanders.
DeWolfe.	Shaver.
Ewing.	Snelgrove.
Eickenroht.	Speck.
Graves	Stephens.
of Williamson.	Storey.
Harman.	Thompson.
Hogg.	Veatch.
Holder.	Waddell.
Jenkins.	Wallace.
Long of Wichita.	

Nays—63.

Ackerman.	Cox of Navarro.
Barnett.	Cox of Limestone.
Bradley.	Duwall.
Bateman.	Finn.
Bounds.	Finlay.
Carpenter.	Forbes.
Chastain.	Gilbert.
Coltrin.	Giles.
Conway.	Hardy.

Harper.	Pavlica.
Hefley.	Petsch.
Hines.	Pool.
Johnson of Smith.	Pope of Jones.
Justiss.	Pope of Nueces.
Kayton.	Purl.
Keeton.	Quinn.
Keller.	Reid.
Kennedy.	Renfro.
Kinnear.	Savage.
Lee.	Simmons.
Lemens.	Smith.
Martin.	Stevenson.
McCombs.	Tarwater.
McDonald.	Tillotson.
McGill.	Turner.
McKean.	Van Zandt.
Metcalfe.	Walters.
Minor.	Warwick.
Moore.	Webb.
Morse.	Williams
Mullally.	of Travis.
Palmer.	Young.
Patterson.	

Present—Not Voting.

Woodall.

Absent.

Acker.	Long of Houston.
Albritton.	Loy.
Anderson.	Mankin.
Baker.	Mehl.
Baldwin.	Montgomery.
Bond.	Mosely.
Cox of Lamar.	Murphy.
Dunlap.	Nicholson.
Enderby.	Olsen.
Fuchs.	O'Neill.
Gates.	Reader.
Gerron.	Richardson.
Graves of Erath.	Rogers.
Harding.	Rountree.
Heaton.	Shelton.
Hopkins.	Sherrill.
Hornaday.	Shipman.
Hubbard.	Sinks.
Johnson	Strong.
of Dimmit.	Thurmond.
Johnson of Scurry.	Westbrook.
Jones.	Wiggs.
Kemble.	Williams
Kenyon.	of Sabine.
Kincaid.	Woodruff.
King.	

Absent—Excused.

Mr. Speaker.	Ray.
Avis.	White.
Harrison.	Williams
Land.	of Hardin.

The Speaker announced that the motion was lost.

Mr. Morse raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

On motion of Mr. Morse, the House, at 6:45 o'clock p. m., adjourned until 9:35 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

School Districts: Senate bill No. 606.

Live Stock and Stock Raising: Senate bill No. 501.

Privileges, Suffrage and Elections: Senate bill No. 209.

Constitutional Amendments: House joint resolution No. 25; Senate joint resolution No. 26.

Game and Fisheries: Senate bill No. 610.

The following committees have today filed adverse reports on bills, as follows:

Claims and Accounts: Senate concurrent resolution No. 4.

Constitutional Amendments: House joint resolutions Nos. 25, 12, 21 and 24.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 121, A bill to be entitled "An Act imposing an occupation tax on any person, company, corporation or association owning, operating, managing or controlling any cotton exchange quotation service or furnishing quotations on the stock market on grain, cotton and other commodities, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 61, "An Act creating

Dallas County Fresh Water Supply District No. 9,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 605, "An Act creating a more efficient road system for Titus county, Texas,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 735, "An Act creating and validating Hidalgo County Water Control and Improvement District No. 7,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 62, "An Act creating Dallas County Beverly Hills Fresh Water Supply District No. 2,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 554, "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the county of Bastrop, State of Texas, for a period of five years from and after the passage of this act,"

Have carefully compared same and find it correctly enrolled

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 692, "An Act providing a mode by which horses, mules, jacks, jennets, cattle, hogs, sheep and goats may be prevented from running at large in Limestone county,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 723, "An Act authorizing the commissioners court of Polk county to employ a deputy in aid of the regularly elected sheriff of said county,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 743, "An Act to exempt independent school districts in this State in counties having a population of not less than 8955 and not more than 8960 according to the United States census of 1910, from county supervision and all assessments for county administrations and limiting the supervision of such independent school districts to the supervising authority of the State Department of Education and the State Board of Education, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 730, "An Act making it unlawful to take or kill wild squirrels in Williamson county during certain months of the year, and providing that the remainder of the year shall be an open season for killing wild squirrels,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 555, "An Act fixing the bag limit on doves and quail in Wood county, declaring the violation of such law to be a misdemeanor, fixing the penalty, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 677, "An Act to provide for the selection of jurors for service in civil suits in the district and county courts of counties having a population of at least sixteen thousand seven hundred and seventy-five and not more than seventeen thousand, as shown by the 1920 Federal census; making the provisions of this act cumulative of all other laws on the subject, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

In Memory
of
Hon. Friedolin Werner

Mr. Eickenroht offered the following resolution:

Whereas, The Honorable Friedolin Werner of Cibolo, Guadalupe county, Texas, a member of the Thirty-first Legislature, passed from this life on last Friday night, March 8; and,

Whereas, Mr. Werner was, during his lifetime, one of the outstanding citizens of Guadalupe county and that section of the State; and,

Whereas, Mr. Werner was a former member of the House of Representatives, having served with distinction, and during his service for the State was always found on the side of morality and good government; and,

Whereas, Texas has lost an honored citizen and an able and faithful worker for the best interests of all the people, and his family a true and loving husband and father; therefore be it

Resolved, That we, the signers of this resolution, who knew and served with Mr. Werner during his State services, request that a page of the House Journal be set aside to the memory of the deceased, and that when the House of Representatives adjourns at the close of its labors on this day that it do so in the memory of and respect of him; and be it further

Resolved, That an enrolled copy of this resolution, signed by the Speaker and Chief Clerk, be mailed to his bereaved family.

EICKENROHT,
WADDELL,
LOY,
MAYNARD,
BECK,
FINLAY,
KEETON,
GILBERT,
ROUNTREE,
CARPENTER,
STEPHENS.

The resolution was read second time and was adopted by a rising vote.